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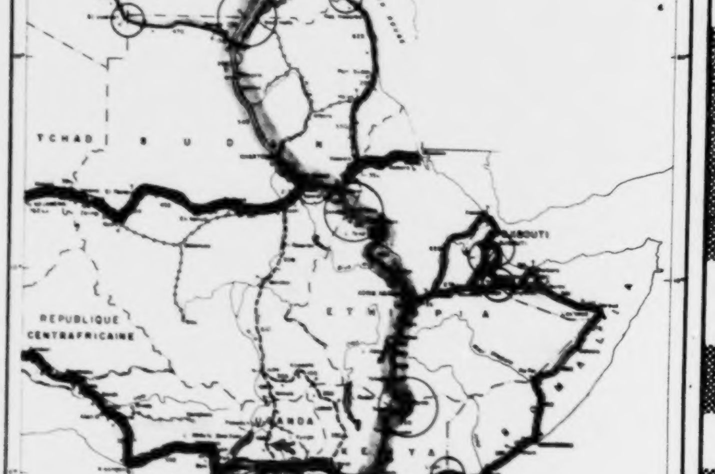
CAIRO - GABORONE
TRANS-EAST AFRICAN HIGHWAY AUTHORITY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TANZANIA
INDIAN OCEAN
OCEAN INDIEN
COMOROS
ANGOLA
ZAMBIA
MALAWI
ZIMBABWE
BOTSWANA
SOUTH AFRICA
SWAZILAND

PLAN OF ACTION

UNITED NATIONS
ECONOMIC COMMISSION FOR AFRICA

LC/NAIROBI

Distr.
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14 September 1981

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UNITED NATIONS

ECONOMIC AND SOCIAL COUNCIL

ECONOMIC COMMISSION FOR AFRICA

Inaugural Meeting of the Governing
Council of the Trans-East African
Highway Authority

Nairobi, Kenya, 16 to 21 November 1981

PLAN OF ACTION

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Foreword

1. The work programme

The Co-ordinating Committee of the Cairo-Gaborone Trans-East African Highway, during its third meeting which was held in Addis Ababa from 16 to 21 December 1980 1/, reviewed and adopted a programme of work for the Trans-East African Highway Authority (annex I); it has been extended and expanded in outline form below.

Highlights of the programme include a complete physical inventory of the Cairo-Gaborone Highway and subsequently of its feeder roads, project development based on the inventory and any other available information; mobilization of resources for the implementation of programmed work; and the drafting and implementation of intergovernmental treaties to facilitate inter-State travel and trade. The programme also foresees the establishment of several intergovenmental subsidiary bodies such as the "Facilitation Commission" indicated in the organizational structure of the Authority, to assist it in the implementation of programmed activities.

The Co-ordinating Committee meeting in Addis Ababa also endorsed the proposed budget of the Trans-East African Highway Authority (annex III) for the years 1982-1985, which since then had to be revised slightly, to conform to the current OAU salary scale, the prevailing scale for many African intergovernmental organizations.

2. The Director-General

The organizational structure of the Cairo-Gaborone Trans-East African Highway Authority indicates that the Authority shall be headed by a Director-General to be appointed by the Governing Council during its inaugural meeting. ECA prepared profiles on candidates for the posts of senior officials of Trans-East African Highway Authority, including that of the Director-General, based on country submissions and recommendations.

3. The Authority and its headquarters

Nairobi has been selected as the headquarters of the Cairo-Gaborone Trans-East African Highway Authority. A model "Headquarters Agreement" has been prepared by ECA for consideration by the Governing Council during its inaugural ceremony. The installation of the Authority would depend on the expeditious signature of the Headquarters Agreement with the host Government.

4. Council action

In order for the Cairo-Gaborone Trans-East African Highway Authority to get off the ground and be operational, the Governing Council needs to take stock of the preparatory work so far accomplished, then take decisive action as outlined to properly install the Authority and chart the Authority's

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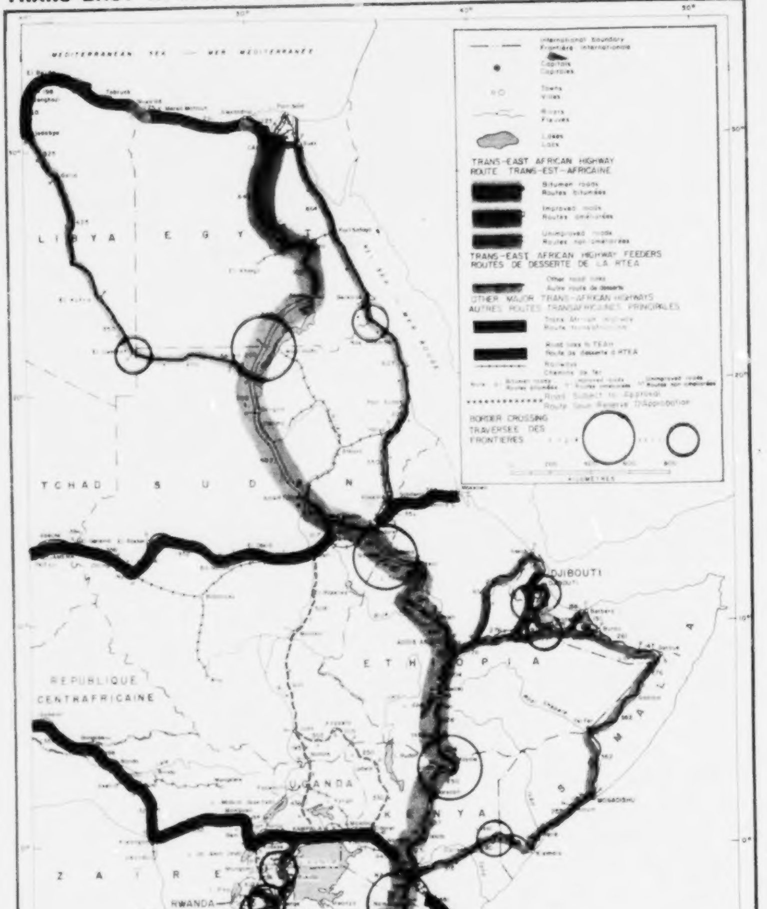
future course. These would essentially include reviewing the plan of action, immediate and medium term; mobilization of sufficient national and international resources, the simplification of border crossing formalities, and the realization of a master plan of development that would integrate the economy of the Cairo-Gaborone area. That, in essence, would amount to a concrete step in the acceleration of the implementation of the Lagos Plan of Action, which all African nations have solemnly committed themselves to implement.

TRANS-EAST AFRICAN HIGHWAY ROUTE TRANS-EST - AFRICAINE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RWANDA
BURUNDI
TANZANIA
DAR-ES-SALAAM
INDIAN OCEAN
OCEAN INDIEN
COMOROS
MORONI
MALAWI
ZAMBIA
ANGOLA
ZIMBABWE
SALISBURY
BOTSWANA
MOZAMBIQUE
MADAGASCAR
TANANARIVE
PRETORIA
MAPUTO
SOUTH AFRICA
SWAZILAND
International boundary
Frontière internationale
Capitals
Capitales
Towns
Villes
Rivers
Fleuves
Lakes
Lacs
TRANS-EAST AFRICAN HIGHWAY
ROUTE TRANS-EST-AFRICAINE
Bitumen roads
Routes bitumées
Improved roads
Routes améliorées
Unimproved roads
Routes non améliorées
TRANS-EAST AFRICAN HIGHWAY FEEDERS
ROUTES DE DESSERTE DE LA RTEA
Other road links
Autre route de desserte
OTHER MAJOR TRANS-AFRICAN HIGHWAYS
AUTRES ROUTES TRANSAFRICAINES PRINCIPALES
Trans African Highway
Route transafricaine
Road links to TEAH
Route de desserte à RTEA
Railways
Chemins de fer
Road Subject to Approval
Route Sous Reserve D'Approbation
BORDER CROSSING
TRAVERSEE DES FRONTIERES
KILOMETRES

CART-M-80-16-Rev.1

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MEMBERS

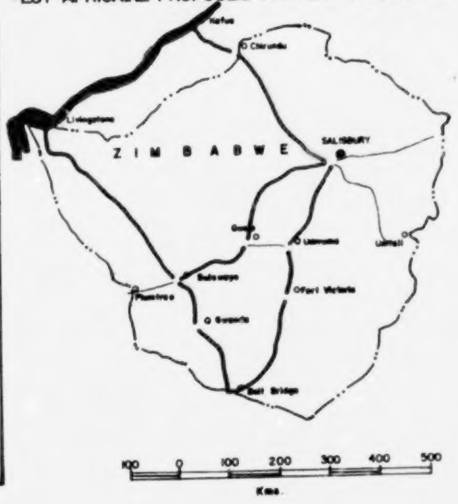
1. **EGYPT**
2. **SUDAN**
3. **ETHIOPIA**
4. **KENYA**
5. **TANZANIA**
6. **ZAMBIA**
7. **BOTSWANA**

Associate Members

1. *Burundi*
2. *Djibouti*
3. *Libya*
4. *Malawi*
5. *Mozambique*
6. *Rwanda*
7. *Somalia*
8. *Swaziland*
9. *Uganda*
10. *Zimbabwe*

PROPOSED ZIMBABWE FEEDER LINKS TO THE TEAH

ROUTES DE RACCORDEMENT A LA ROUTE TRANS-EST-AFRICAINE PROPOSEE PAR LE ZIMBABWE


Kafue
Chirundu
Livingstone
ZIMBABWE
SALISBURY
Umvuma
Umtali
Bulawayo
Plumtree
Fort Victoria
Gwanda
Beit Bridge
100
0
100
200
300
400
500
Kms.

OUTLINE PLAN OF ACTION

1. Immediate action

1.1 Approval of the work programme
1.2 Appointment of the Director-General
1.3 Signing of the Headquarters Agreement
1.4 Installation of the Trans-East African Highway Authority

    1.11 Work programme

        1.111 Highway inventory
        1.112 Project development
        1.113 Facilitation Commission

    1.12 Budget

        1.121 Organization structure
        1.122 Staffing plan
        1.123 Revised budget
        1.124 Apportionment of dues

1.2 Appointment of Director-General

    1.21 Review of profiles of candidates
    1.22 Selection and appointment of Director-General
    1.23 Possible selection of other senior staff of the Authority

1.3 Signing of the Headquarters Agreement

    1.31 Review of Headquarters Agreement
    1.32 Inspection of premises of the Authority, or accommodation plans of host country for the Trans-East African Highway Authority secretariat
    1.33 Formal signing of Headquarters Agreement

1.4 Installation of the Trans-East African Highway Authority

    1.41 Establishment of date of commencement of work
    1.42 Inaugural ceremony for the Trans-East African Highway Authority

2. Programme of activities (indications)

2.1 Highway inventory

    2.11 Physical inventory of Cairo-Gaborone highway
    2.12 Inventory of feeder roads
    2.13 OD surveys and other studies

2.2 Project development

- 2.21 Identification of substandard sections, structures
- 2.22 Project preparation for studies and/or improvement works.
- 2.23 Follow up and implementation

2.3 Travel and trade facilitation

- 2.31 Identification of all barriers to travel and trade
- 2.32 Preparation of draft treaties, reviews by Inter-State Commission
- 2.33 Implementation of treaties

2.4 Subsidiary bodies

- 2.41 Preparation of terms of reference
- 2.42 Establishment of:
    - 2.421 The Inter-State Facilitation Commission
    - 2.422 The Highway Standards Committee
    - 2.423 The Project Development Committee
    - 2.424 The Research and Development Committee
    - 2.425 National level subcommittes

2.5 Other

- 2.51 Recruitment of additional professionals
- 2.52 Survey of activities of national highway authorities in Eastern Africa
    - 2.521 Development plans, programmes and priorities
    - 2.522 Research and development activities
    - 2.523 Highway training institutions and programmes
- 2.53 Preparation of master plan
    - 2.531 Trans-East African Highway Authority and feeders intersecting main highways
    - 2.532 Other national primaries
    - 2.533 Rural and secondary roads
- 2.54 Roadside development
    - 2.541 Services
    - 2.542 Recreation
    - 2.543 Potential development areas
- 2.55 Meetings
    - 2.551 Meetings of the Governing Council
    - 2.552 Meetings of the Inter-State Committees
    - 2.553 Ad hoc, expert group, technical workshop
    - 2.554 Seminars, training courses

ANNEX I

ORGANIZATION AND PROGRAMME OF ACTIVITIES

1. First year programme of work of the Trans-East African Highway Authority

A. Introduction

1. One of the first tasks of the Trans-East African Highway Authority is to carry out, on priority basis a complete inventory of the Cairo-Gaborone Trans-East African Highway and its feeder roads to enable the Authority to make a meaningful assessment of current and long-range needs; and prepare a reliable and realistic estimate of costs for studies, implementation and highway maintenance; and establish priorities for improvements.

2. The Authority will use its own staff and such consultants as may be made available to it through national, bilateral and international assistance, or subsidiary bodies established by the Governing Council such as the Research and Development Committee, whose functions include data collection and/or analysis and dissemination: the Authority will establish and maintain accurate information on the Trans-East African Highway system, including formation widths, grades, conditions of road and structure, critical geometric features; and any available services on the Trans-East African Highway and its feeders such as lodging, accommodation, fueling and vehicle service facilities or potential road-side development sites. Inventory is the basic activity required for planning purposes and for identifying priority projects; it is a continually ongoing operation which needs to be updated annually to assure reliable current information.

Project development

3. Co-ordination work of "studies" and "implementation" projects of the Trans-East African Highway shall be organized and launched by the Authority during the first fiscal year of its establishment and may best be accomplished through the Project Development Committee, so as to draw on available national knowledge and expert human resources. Previous knowledge of existing conditions of unimproved segments of the Trans-East African Highway and its feeders should enable it to identify "study". or "implementation" projects quickly, assess likely funding sources, national and/or otherwise, and through the Governing Council and the Advisory Board, approach financial institutions for assistance.

4. As the state of maintenance of highways in Africa in general, and the Trans-East African Highway system in particular appears to be grossly defective and there is an accumulated backlog of postponed maintenance activity, one of the primary concerns of the Authority should be to mobilize resources for maintenance and allocate these to determined deficiencies, whether it is in the institutional, equipment, manpower, or spares areas; or combinations of these and others.

Facilitation and standardization

5. Highway travel and trade throughout Africa continues to be impeded by physical and non-physical obstacles, and the trans-East African area is no exception. The Trans-East African Highway and its influence area should be studied to determine the extent of administrative and legal barriers and to formulate methods of eliminating or minimizing such barriers.

6. The Trans-East African Highway Authority should then attempt programmed implementation activities of any proposals and recommendations and involving all the member States, preferably through the establishment of the "Inter-State Facilitation Commission" and the "Highway Standards Committee". These subsidiary bodies may in turn be assisted by subcommittees at the national level.

7. The Facilitation Commission's primary objective should be to attempt to provide maximum freedom of transit, with particular attention paid to the provision of free and unrestricted access from Cairo to Gaborone and vice-versa. Specifically, the Inter-State Facilitation Commission should conduct a census of existing treaty arrangements between member countries regarding customs, immigration, exchange control, etc., in an effort to bring about common acceptance by all member countries of the relevant agreement where this is at present lacking. The Trans-East African Highway Authority shall then endeavour to effectuate accession to all international conventions and agreements governing international trade and travel, including, but not limited to, importation of goods, immigration, foreign exchange facilitation, visas, border formalities; and road-side development including rest houses, camp sites, vehicle service and repair facilities and adequate security. The Authority, preferably through its Standardization Committee, will endeavour to bring about agreement by all member States on uniform design standards as regards volume capacity, weight capacity and traffic convenience (design speed, minimum widths, maximum gradients, curvatures, design loadings and uniform traffic signs and markings).

Special note

8. The effectiveness of the action programme proposed will depend, to a great extent, upon the financial and human resources initially mobilized for its operation. It is possible that some of the activities in the annual programme may spill over to the following years. A bar chart has therefore been prepared indicating in general terms the probable programme of action for the full four-year term. Although the chart is a simple bar diagram and self-explanatory, it should be pointed out that shaded areas indicate intensive activity for that particular item of work and are subject to adjustment, depending on a lot of variables.

Milestone conferences are foreseen, as indicated on the bar diagram (vertical bands) at the end of the second year (1983), and again in the middle of the fourth year, the latter to assess the work accomplished in the first phase (four years) of the trans-East African effort, and to chart out action programmes for the next four to five years.

8. Programme summary, Fiscal

9. Highway inventory and O.D. Studies

(a) Preparatory activity and launching of the inventory and data collection effort; processing, analysis and proper storage of the information obtained. Initiate origin and destination surveys particularly in areas of intense traffic flow.

(b) Establishment of the "Research and Development Committee", and commencement of research work and/or co-ordination of research already initiated on local road building materials, on the use of modern technology such as remote sensing techniques in highway design, and generally on the transfer of technology to Africa in the field of highway engineering and construction.

10. Project development

(a) Detailed engineering study and/or co-ordination of such studies already initiated at the national level, to improve and upgrade substandard or deteriorated sections of the Trans-East African Highway.

(b) Feasibility and pre-investment studies of selected sections of the feeder roads to the Cairo-Gaborone Trans-East African Highway.

(c) Negotiation, through the Governing Council, with co-operating industrialized countries and financial institutions, to mobilize funds for feasibility study, detailed engineering design and improvement projects.

11. Facilitation

Initiate programme for removing administrative and legal barriers to travel and trade on the Trans-East African Highway, including:

(a) the establishment of an Inter-State Facilitation Commission, and any other national committees that would work to facilitate international travel and trade;

(b) the drafting of agreements, treaties and any other legal instruments that would minimize, if not altogether eliminate non-physical barriers, including but not limited to:

(i) Road Transport Permits Agreement;
(ii) African Driving Licence Agreement;
(iii) Inter-African Vehicle Insurance Agreement (green card);
(iv) Inter-State Transit Systems Agreement;
(v) Convention on Free Movement of Persons and Goods; and
(vi) Border Post Currency Exchange Agreement.

(c) the establishment of a Standardization Committee, monitoring and supervising the preparation of the African Highway Code in its final draft form; promotion of traffic safety, including the erection of uniform traffic signs and markings on the Trans-East African Highway and its feeders; promotion of size and weight control measures and the establishment of highway patrols to discourage illegal axle loads and excessive speeds, respectively, on the Trans-East African Highway and its feeder roads.

12. General

(a) meetings, conferences, seminars, training courses, and working groups;

(b) through the Research and Development Committee, initiation of research projects on local road building materials, on transfer of technology, including the application of remote sensing techniques to highway engineering; the development of local road construction enterprises;

(c) acquisition of experts, consultants and other professionals, preferably through bilateral technical assistance.

2. Organization of the Cairo-Gaborone Trans-East African Highway Authority

13. The organizational chart which had been prepared by ECA for the Trans-East African Highway Authority, reflects the spirit and letter of the Constitution of the Authority, and its current and immediate future workload.

14. The Authority is headed by a Director-General and has two main departments under it, the Department of Administration and the Technical Department, each headed by a Director. The Technical Department is in turn subdivided into two Divisions, "Engineering" and "Operations" Divisions, while the Department of Administration is assisted by the Finance and Personnel Division. Each of the three Divisions is headed by a Division Chief.

Functions

15. Activities assigned to the Department of Administration include:

(a) Fiscal matters (budgeting, accounts, procurement, disbursement and internal auditing); and

(b) Personnel functions, under which general services activities are incorporated.

Activities under the Technical Department are:

(a) Engineering (project development, including planning, co-ordinated feasibility and detailed engineering studies, research and development, and project programming); and

(b) Operations, (construction, maintenance, road-side development). Subsidiary bodies have been provided to deal with project development, standardization, facilitation and research and development.

16. The secretariat is of course responsible to the Governing Council, who will appoint, in addition to the Director-General and Deputy Director General, the Controller, whose duties include administration of the finances of the Authority, and an External Auditor, who will be engaged for a maximum of two months per year to audit the accounts of the Authority. The Council will also appoint a legal adviser who will work directly under the Deputy Director-General, and will have the rank of a division chief, and all other professionals. The Constitution and therefore the organizational chart, provides for an Advisory Board, who will advise the Governing Council on the activities and work programmes of the Authority, and the financing of its projects.

Staffing

17. The organizational chart is designed to provide for the posts of a director-general, a deputy director-general, two directors, three division chiefs, a legal adviser with the rank of division chief, and several professional, secretarial and general service positions. Not all of the positions are meant to be filled

at once, nor is the chart designed to be rigid, and final. Like any other dynamic organization, the Trans-East African Highway Authority's organizational structure will be flexible and subject to subsequent adjustment by the Governing Council.

18. The Authority will start off year 1 with a modest yet adequate staff, commensurate with its work load and action programme. The staffing schedule foresees that some staff members will assume additional responsibilities over and above their nominal positions: The Deputy Director-General will fill the post of Director of Administration and that of the Chief of Finance and Personnel Division in year 1. The Director of Technical Services would double up as the Chief Engineer in year 1, and as Chief of Operations in years 1 to 3, inclusive. The Authority will approach the Governing Council to make adjustments as it sees fit, and fill the vacant posts as the needs arise. It is hoped however that many of the professional posts will be filled by consultants under bilateral assistance, in which case counterpart personnel should be recruited from member and associate member States and assigned to work with each expatriate consultant, whenever this is considered feasible.

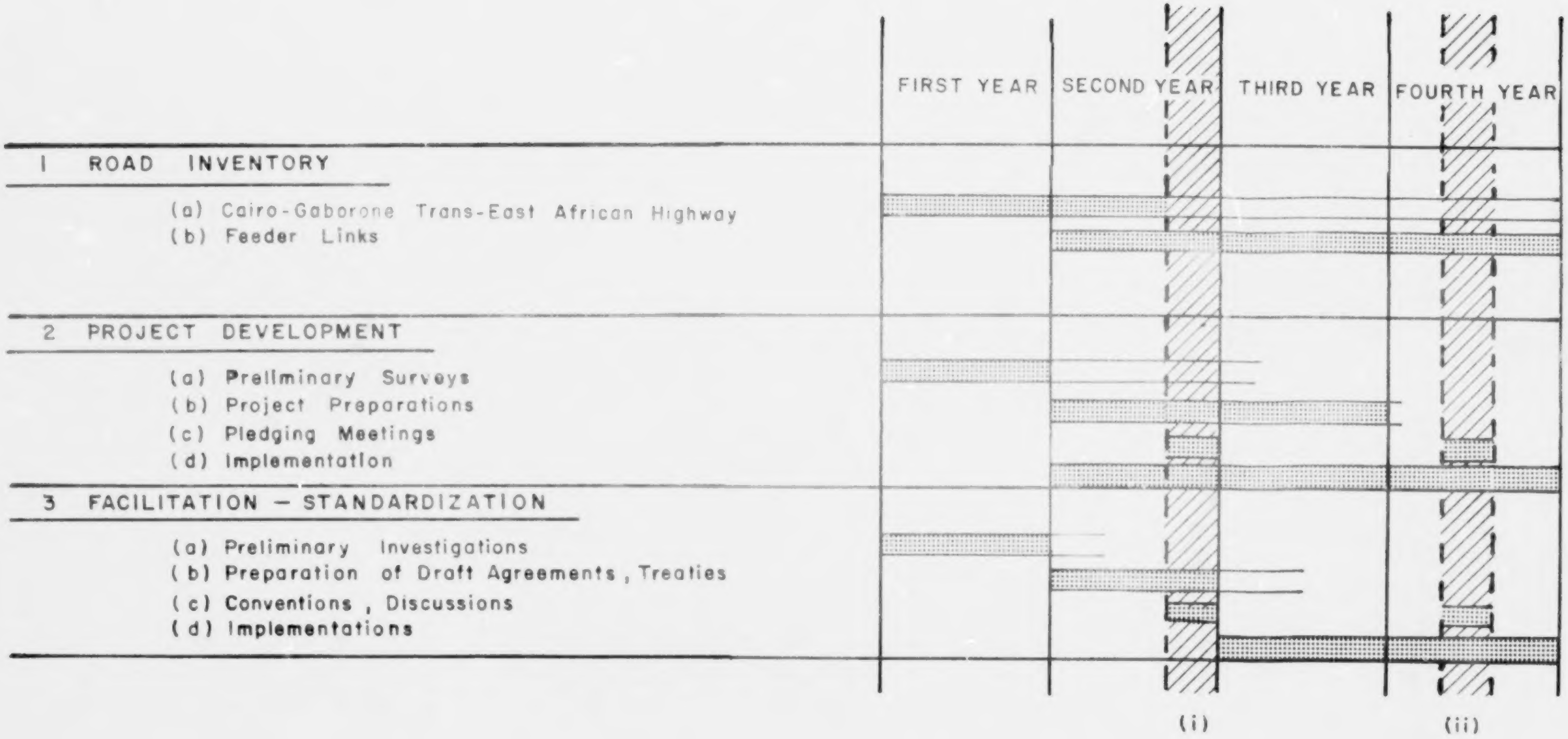
The budget estimate

19. The estimated budget covering the first four years of operation of the Trans-East African Highway Authority reflects the organizational pattern and programmed activity of the Authority. Salary and benefit estimates are based on OAU and international scales.

20. It is expected that some consultants and experts would be made available from external technical assistance sources in which case the total estimate shown may be altered.

21. Any budget is only an estimate, an attempt to quantify programmed activity over a given period of time. The estimated budget of the Cairo-Gaborone Trans-East African Highway Authority would be critically appraised by participants and approved as presented or with amendments.

CAIRO–GABORONE TRANS-EAST AFRICAN HIGHWAY AUTHORITY
FOUR-YEAR WORK PROGRAMME INDICATIONS



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(i), (ii) **Milestone Conferences**

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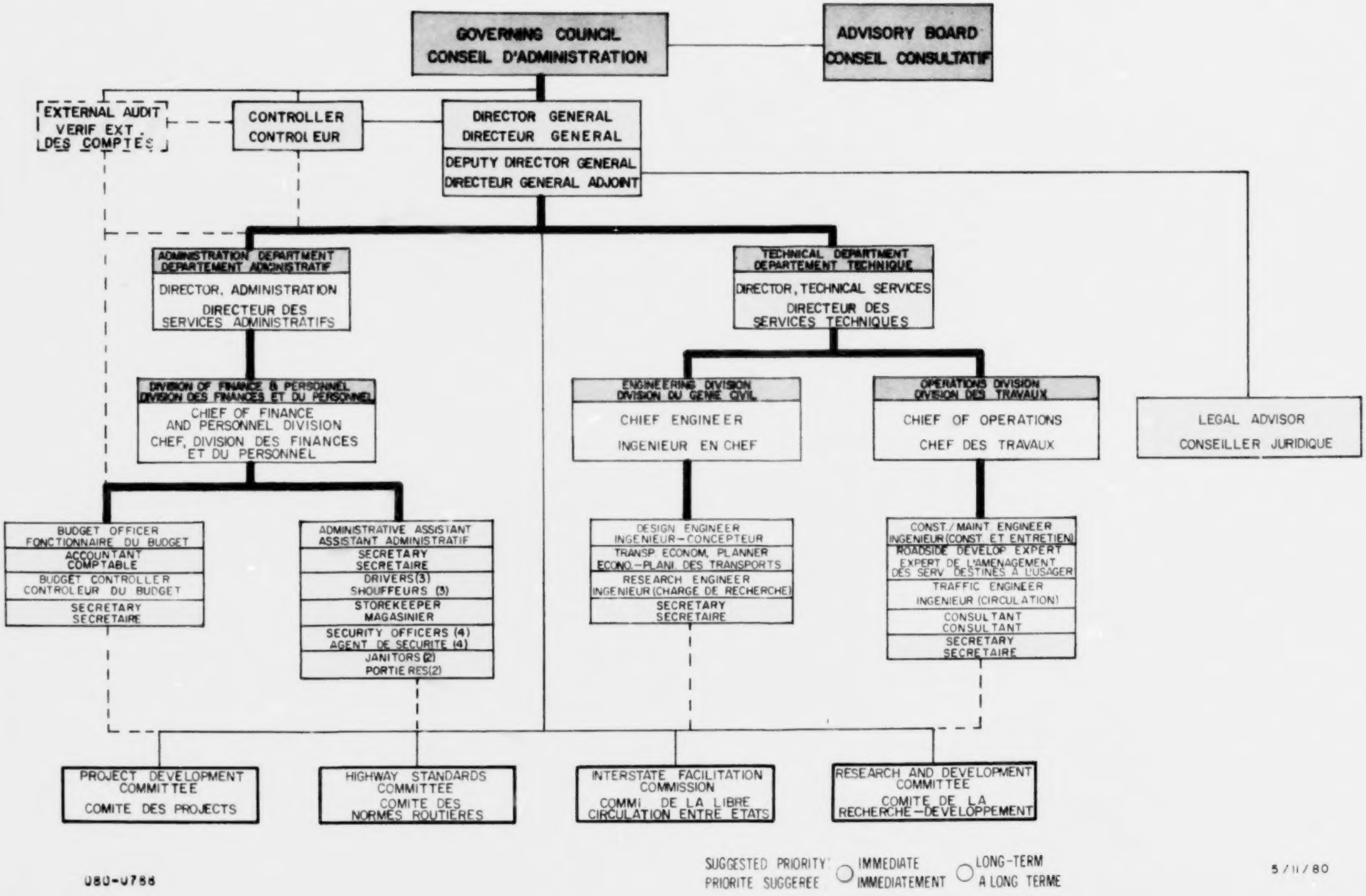
CAIRO-GABORONE TRANS-EAST AFRICAN HIGHWAY AUTHORITY
AUTORITE DE LA ROUTE TRANSAFRICAINE DE L'EST
LE CAIRE-GABORONE


GOVERNING COUNCIL
CONSEIL D'ADMINISTRATION
ADVISORY BOARD
CONSEIL CONSULTATIF
EXTERNAL AUDIT
VERIF EXT. DES COMPTES
CONTROLLER
CONTROLEUR
DIRECTOR GENERAL
DIRECTEUR GENERAL
DEPUTY DIRECTOR GENERAL
DIRECTEUR GENERAL ADJOINT
ADMINISTRATION DEPARTMENT
DEPARTEMENT ADMINISTRATIF
DIRECTOR, ADMINISTRATION
DIRECTEUR DES SERVICES ADMINISTRATIFS
TECHNICAL DEPARTMENT
DEPARTEMENT TECHNIQUE
DIRECTOR, TECHNICAL SERVICES
DIRECTEUR DES SERVICES TECHNIQUES
DIVISION OF FINANCE & PERSONNEL
DIVISION DES FINANCES ET DU PERSONNEL
CHIEF OF FINANCE AND PERSONNEL DIVISION
CHEF, DIVISION DES FINANCES ET DU PERSONNEL
ENGINEERING DIVISION
DIVISION DU GENIE CIVIL
CHIEF ENGINEER
INGENIEUR EN CHEF
OPERATIONS DIVISION
DIVISION DES TRAVAUX
CHIEF OF OPERATIONS
CHEF DES TRAVAUX
LEGAL ADVISOR
CONSEILLER JURIDIQUE
BUDGET OFFICER
FONCTIONNAIRE DU BUDGET
ACCOUNTANT
COMPTABLE
BUDGET CONTROLLER
CONTROLEUR DU BUDGET
SECRETARY
SECRETAIRE
ADMINISTRATIVE ASSISTANT
ASSISTANT ADMINISTRATIF
SECRETARY
SECRETAIRE
DRIVERS (3)
SHOUFFEURS (3)
STOREKEEPER
MAGASINIER
SECURITY OFFICERS (4)
AGENT DE SECURITE (4)
JANITORS (2)
PORTIERES (2)
DESIGN ENGINEER
INGENIEUR-CONCEPTEUR
TRANSP. ECONOM. PLANNER
ECONO.-PLANI. DES TRANSPORTS
RESEARCH ENGINEER
INGENIEUR (CHARGE DE RECHERCHE)
SECRETARY
SECRETAIRE
CONST./MAINT. ENGINEER
INGENIEUR (CONST. ET ENTRETIEN)
ROADSIDE DEVELOP. EXPERT
EXPERT DE L'AMENAGEMENT DES SERV. DESTINES A L'USAGER
TRAFFIC ENGINEER
INGENIEUR (CIRCULATION)
CONSULTANT
CONSULTANT
SECRETARY
SECRETAIRE
PROJECT DEVELOPMENT COMMITTEE
COMITE DES PROJECTS
HIGHWAY STANDARDS COMMITTEE
COMITE DES NORMES ROUTIERES
INTERSTATE FACILITATION COMMISSION
COMMI. DE LA LIBRE CIRCULATION ENTRE ETATS
RESEARCH AND DEVELOPMENT COMMITTEE
COMITE DE LA RECHERCHE-DEVELOPPEMENT
SUGGESTED PRIORITY:
PRIORITE SUGGEREE
○ IMMEDIATE
IMMEDIATEMENT
○ LONG-TERM
A LONG TERME

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TERMS OF REFERENCE OF OFFICIALS AND PROFESSIONALS

I. Director-General

(Post No. TEAHA-01)

1. The Director-General must be a national of a member State of the Cairo-Gaborone Trans-East African Highway Authority.

2. Qualifications.

The Director-General of the Cairo-Gaborone Trans-East African Highway Authority must:

(a) Have a post-graduate degree in civil engineering and at least 10 years' experience in road construction and maintenance;

(b) Have been responsible for the preparation, supervision and monitoring of road construction and maintenance work for at least five years;

(c) Have wide experience of administration and management and also of the drawing up of contracts;

(d) He must be familiar with a wide range of techniques of road design, construction and maintenance, including labour intensive methods;

(e) He must be familiar with the role of Research and Development (R & D) in road design and construction;

(f) Have a good knowledge of English or French and be able to write well in that language. He must also have a fairly good knowledge of the other language; and

(g) He must have leadership qualities.

3. Duties and responsibilities

The Director-General is the chief administrative officer of the secretariat of the Cairo-Gaborone Trans-East African Highway Authority and is responsible for its smooth operation. He is assisted by a Deputy Director-General.

His main duties are to:

(i) Convene sessions of the Governing Council, the Advisory Board and such subsidiary organs as may be created and to provide secretariat services for them;

(ii) Prepare the draft programme of activities of the Authority and of its organs for presentation to the Governing Council;

(iii) Prepare and submit to the Governing Council for approval an annual statement of account and estimates of the income and expenditure of the organs of the Authority;

(iv) Implement the decisions of the Governing Council, particularly those relating to the programme of activities.

4. Terms of service

The Director-General of the Authority is given a four-year contract renewable by mutual agreement. He is governed by the Staff Rules of the Authority which shall be adopted by the Governing Council.

5. Salary and other benefits

The salary, which is based on that of OAU officials, is equivalent to that of the Directors of Regional Bureaux of OAU. It is in the range of $US 23,996 and 28,154 per annum net.

The benefits are similar to those enjoyed by OAU officials.

II. Deputy Director-General

(Post No. TEAHA-02)

1. The Deputy Director-General should be a national of a member State of the Cairo-Gaborone Trans-East African Highway Authority.

2. Qualifications

The Deputy Director-General of the Cairo-Gaborone Trans-East African Highway Authority should:

(i) Have a post-graduate degree in economics or civil engineering and have at least seven years' professional experience in either field;

(ii) Have carried out senior administrative functions, for example, as secretary-general for administration of a government or director of a national engineering service for at least five years;

(iii) Have a good knowledge of French or English and be able to write well in that language and a fairly good knowledge of the other.

3. Duties and responsibilities

The Deputy Director-General of the Cairo-Gaborone Trans-East African Highway Authority is the second most senior official of the Authority. As such, he assists the Director-General in the performance of his duties particularly those of an administrative nature.

Inter alia:

(i) He shall act as Director-General of the Cairo-Gaborone Trans-East African Highway Authority in the absence of the Director-General;

(ii) He shall at other times assume such duties normally performed by the Director-General as the latter may delegate to him.

Salary and other benefits

The annual salary is in the range of $US 22,400 to 26,432 net and corresponds to the grade of Division Chief in the Organization of African Unity.

The benefits are similar to those enjoyed by OAU officials.

III. Financial Controller

(Post No. TEAHA-03)

1. The Financial Controller must be a national of a member or an associate member State.

2. Qualifications

The Financial Controller of the Cairo-Gaborone Trans-East African Highway Authority must:

(a) Have a post-graduate degree in economics or public administration with a major in public finance;

(b) Have at least eight years' experience in public accounting and financial administration;

(c) Have held a high-level post in his national government, with special exposure to government accounting and auditing;

(d) Be fluent in English or French;a working knowledge of the other is desirable.

3. Duties and responsibilities

The Financial Controller shall:

(a) be responsible for administering the finances of the Authority and its general directorate, and for ensuring that this is done in conformity with the decisions of the Governing Council to which he shall report, although administratively he shall be under the supervision of the Director-General of the Authority;

(b) ensure that the accounts and registers faithfully record the receipts and expenditures of the Authority and its organs;

(c) generally supervise and guide the activities of accounting, costing, pre-auditing, financial posting and registering of the Authority's finances;

(d) receive and promptly transmit to the Governing Council the report of the Auditors, together with his own report;

(e) assist the Director-General and his Deputy in the careful preparation of the Authority's budget, as well as control expenditures to ensure that funds are spent for authorized, approved and programmed work and not misused or misappropriated;

(f) perform other related duties as required or as requested by the Director-General and the Deputy Director-General for the success of the operations of the Authority.

4. Duration of contract

The Financial Controller of the Authority shall be given a contract for four years, renewable by mutual agreement.

5. Salary and other benefits

The net base salary of the Financial Controller shall be from $US 15,400 to $US 18,928 per annum, plus prescribed annual allowances for post adjustment, installation and repatriation grants, dependency and education allowances and such other emoluments as are normally paid to an international civil servant.

IV. Services of the External Auditor

(Post No. TEAHA-04)

1. Place of work: Headquarters of the Trans-East African Highway Authority.

2. Period required: (For approximately two months each year).

3. Special note:

(a) Preference for performing the annual audits of the Authority shall be given to nationals or organizations of member or associate member States of the Cairo-Gaborone Trans-East African Highway Authority;

(b) Applications for performing the annual audits of the Trans-East African Highway Authority should be submitted to the Director-General of the Cairo-Gaborone Trans-East African Highway Authority.

4. Qualifications

Applicants for the performance of yearly audits of the Authority must:

(a) have a post-graduate degree with a major in public finance;

(b) be a chartered (or certified) public accountant, duly registered with the appropriate national authorities;

(c) be a high-level national administrator in his country with expertise in specialized government audit processes;

(d) be fluent in English or French, with a working knowledge of the other.

5. Duties and responsibilities

The External Auditor appointed by the Governing Council or its duly authorized representative shall audit the accounts of the Authority, including all records of receipts and expenditures on the basis of statements of accounts transmitted to him, and shall send the certified statements along with his report to the Controller for submission to the Governing Council.

Specifically, the External Auditor shall audit the books, registers statements and all other documents pertaining to the Authority's accounts, and establish all of the internal procedures and controls, including post-audit and store procedures.

6. Duration of contract

The External Auditor of the Authority shall be appointed for four years, renewable annually by mutual agreement.

7. Payment for services

The External Auditor shall be paid an initial lump sum amount not to exceed $US 4,000 net in 1981, with a minimum annual increment of 10 per cent thereafter for the next three years.

V. Director, Technical Services

(Post No. TEAHA-05)

1. The Director of Technical Services must be a national of a member or an associate member State.

2. Qualifications

The Director of Technical Services of the Cairo-Gaborone Trans-East African Highway Authority must:

(a) be a university graduate in civil engineering with a minimum of five years' experience in highway design, construction and/or maintenance;

(b) have held progressively responsible posts in the national highway agency or department, with both office and field experience;

(c) be fluent in either English or French, with a working knowledge of the other.

3. Duties and responsibilities

The Director of Technical Services, as head of the technical arm of the Authority, who will initially serve also as the Chief Engineer and Chief of Operations, is responsible for the co-ordination of the physical improvement of the infrastructure of the Cairo-Gaborone Highway and its feeders and is one of the key professional staff of the Authority.

He shall, inter alia:

(a) primarily review the current physical situation of the Trans-East African Highway and identify the needs and prospects for its ultimate development to an international highway standard;

(b) undertake related studies, including prefeasibility and detailed engineering studies of substandard sections of the Trans-East African Highway system, current traffic volume and traffic regulations of the various States and the traffic safety situation in general;

(c) collect, keep up to date and analyse data and information relating to roads in the Trans-East African Highway system;

(d) initiate the preparation of a master plan for development of the Trans-East African Highway network;

(e) assist in the establishment of the subsidiary bodies for project development, road research, standardization and facilitation of inter-State travel and trade, and guide and supervise their work;

(f) undertake missions to member and associate member countries to co-ordinate the planning, design, construction and maintenance of substandard sections of the Trans-East African Highway network; and

(g) organize technical meetings, training workshops and seminars, particularly to improve the quality of highway subprofessionals in the subregion and thereby improve the quality of construction and standard of maintenance of the Trans-East African Highway system.

4. Duration of contract

The Director of Technical Services of the Cairo-Gaborone Trans-East African Highway Authority shall be given a contract for four years, renewable by mutual agreement.

5. Salary and other benefits

The initial net base salary of the Director of Technical Services shall be $US 18,620 to $US 22,400 per annum plus prescribed annual allowances for post adjustment, installation and repatriation grants, dependency and education allowances and such other emoluments as are normally paid to an international civil servant.

VI. Legal Adviser

(Post No. TEAHA-06)

1. The Legal Adviser must be a national of a member or an associate member State.

2. Qualifications

The Legal Adviser of the Cairo-Gaborone Trans-East African Highway Authority must:

(a) have a university degree in law and a minimum of three years' professional experience in this field;

(b) have held responsible government posts in legal practice, and preferably be a member of the national bar association;

(c) be fluent in English or French, with a working knowledge of the other.

3. Duties and responsibilities

The Legal Adviser of the Authority reports directly to the Deputy Director-General and has the rank of a division chief. He shall:

(a) review all existing legal documents of the Cairo-Gaborone Trans-East African Highway Authority, including the Statutes, the Headquarters Agreement with the host Government, contracts for professional services and other related matters and advise on any revisions, amendments and/or changes called for;

(b) draft the financial regulations to be applied to the Authority, draw up any new contracts for professional services, and assist in the preparation of appropriate legal documents for the establishment of subsidiary bodies such as the Inter-State Facilitation Commission and such other legal entities as the Governing Council may establish at the national level;

(c) assist in the review, preparation, adoption and/or implementation of the Road Transport Permits Agreement, the African Driving License Agreement, the Inter-African Vehicle Insurance Agreement, the Inter-State Transit Systems Agreement, the Convention on Free Movement of Persons and Goods, the Border Post Currency Exchange Agreement and other legal instruments designed to promote the objectives of the Authority; and

(d) advise on other legal matters, including acquisition and disposal documents of property, loan agreements; represent the Authority in litigation and other legal proceedings.

4. Duration of contract

The Legal Adviser of the Authority shall be given a contract for four years, renewable by mutual agreement.

5. Salary and other benefits

The net base salary of the Legal Adviser shall range from $US 15,400 to $US 18,923 per annum, plus prescribed annual allowances for post adjustment, installation and repatriation grants, dependency and education allowances and such other emoluments as are normally paid to an international civil servant.

VII. Transport Economist/Planner

(Post No. TEAHA-07)

1. The Transport Economist/Planner must be a national of a member or an associate member State.

2. Qualifications

The Transport Economist/Planner of the Cairo-Gaborone Trans-East African Highway Authority must:

(a) have a university degree in economics with a minimum of three years' professional experience in their field of competence;

(b) have served in government, in planning or in transport; and

(c) be fluent in English or French, with a working knowledge of the other.

3. Duties and responsibilities

The Transport Economist/Planner is the planning and programming officer of the Authority under the over-all supervision of the Director-General and directly reporting to the Chief Engineer or the Director of Technical Services who would act as the Chief Engineer in 1982.

Taking account of the broad economic and social development of the area traversed by the Trans-East African Highway and its feeders, including national planning and investment, finance and credit, trade, land use and social development, the Transport Economist/Planner shall:

(a) analyse the financial requirements to bring the Trans-East African system to all-weather standard and determine funds required and funds likely to be available and thereby forecast annual figures projected over the first phase of four years, and for each succeeding five-year period thereafter, for a total of 14 years;

(b) in close co-ordination with national plans of trans-East African Highway countries, determine the present degree of rural development of member and associate member States, as it relates to agriculture, mining, industry, other modes of transport and population distribution, as a basis of economic and financial justification of improvement projects of the segments of the Trans-East African Highway and its feeders in each country;

(c) assist in the preparation of reports and studies required for negotiation with industrialized countries and international financial institutions to secure grants and/or loans for studies and construction projects, including project justification by means of cost/benefit analysis or the internal rate of return method; and

(d) perform such other related professional work as may be required.

4. Duration of contract

The Transport Economist/Planner of the Authority is given a contract for four years, renewable by mutual agreement.

5. Salary and other benefits

The initial net base salary of the Transport Economist/Planner shall range from $US 12,600 to $US 15,876 per annum, plus prescribed annual allowances for post adjustment, installation and repatriation grants, dependency and education allowances and such other emoluments as are normally paid to an international civil servant.

VIII. Construction/Maintenance Engineer

(Post No. TEAHA-08)

1. The Construction/Maintenance Engineer must be a national of a member or an associate member State.

2. Qualifications

The Construction/Maintenance Engineer of the Trans-East African Highway Authority must:

(a) have a degree in civil engineering, with a minimum of three years' professional experience in highway construction or maintenance;

(b) have been engaged in the national highway organization and have held a responsible post; and

(c) be fluent in English or French, with a working knowledge of the other.

3. Duties and responsibilities

The Construction/Maintenance Engineer shall:

(a) make a physical inspection of the highway from Cairo to Gaborone and of all the feeder roads, to have a first-hand knowledge of the condition of the network and assess the physical improvement required;

(b) develop and maintain a data bank of existing and programmed improvements for each classified segment of the network, which shall indicate such basic characteristics as base, surface, shoulders, ditches, drainage structures, right of way, traffic, and the kind of improvement, if any;

(c) develop estimates of unit construction and maintenance costs; and determine estimates of financing requirements relating to systematic upgrading of substandard sections to cope with projected traffic;

(d) assess the state of maintenance of the Trans-East African Highway and its feeders in each country, and determine whether any backlog of postponed maintenance is attributable to financial, institutional or other causes, and the quantified remedial measures required;

(e) assess the quality of road construction in each country, and whether poor workmanship and materials during construction or domination of construction industry by expatriate contractors or both, contribute to the current poor state of maintenance of the Trans-East African Highway system, and whether or not development of local construction enterprises would improve the situation;

(f) assess the road-side development potential of the area of influence of the Trans-East African Highway network, and long current road-user facilities such as resthouses, fuel and auto-servicing facilities, security, other aids and obstacles, and prepare, together with other professionals such as the Transport Economist/Planner, preliminary development plans and programmes; and

(g) perform other related professional work as required.

4. Duration of contract

The Construction/Maintenance Engineer of the Authority is given a contract for four years, renewable by mutual agreement.

5. Salary and other benefits

The initial net base salary of the Construction/Maintenance Engineer shall range from $US 12,600 to $US 15,870 per annum, plus prescribed annual allowances for post adjustment, installation and repatriation grants, dependency and education allowances and such other emoluments as are normally paid to an international civil servant.

IX. Administrative Assistant

(Post No. TEAHA-09)

1. The Administrative Assistant must be a national of a member or an associate member State.

2. Qualifications

The Administrative Assistant of the Cairo-Gaborone Trans-East African Highway Authority must:

(a) be a university graduate majoring in public administration, with two years' practical experience in administration, or have an equivalent training and experience;

(b) be a government civil servant holding an important post in administration; and

(c) be fluent in English or French, a working knowledge of the other is desirable.

3. Duties and responsibilities

Under the Deputy Director-General, who shall initially fill the post of Chief of the Division of Administration and Finance, the Administrative Assistant shall be responsible for all executive and administrative duties of the Authority. He shall:

(a) plan and organize all secretarial duties, transportation arrangements and security matters;

(b) supervise all general service staff, including the cleaning and sanitation workers, and co-ordinate the distribution of work;

(c) supervise and monitor overtime work and maintain attendance and leave records of all staff;

(d) assist in matters of recruitment and extension of services of local staff as well as recommendations for promotion of general service staff;

(e) assist in the preparation of travel requests and the administrative arrangements for missions as well as the processing of claims;

(f) be responsible for all stationery/office equipment and the proper distribution of supplies, and ensure proper storage of equipment and supplies,

(g) ensure that the premises and all recorded Authority equipment therein are maintained in good condition, and that proper security is maintained and economy observed in the use of utilities (electricity, water, etc.); and

(h) perform other administrative work as required.

4. Duration of contract

The Administrative Assistant of the Authority is given a contract for four years, renewable by mutual agreement.

5. Salary

The net base salary of the Administrative Assistant ranges between $US 12,600 and $US 15,876 per annum.

ANNEX III

ESTIMATES OF BUDGETARY REQUIREMENTS, 1982-1985

Revised Budget Estimates

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TABLE I

Revised budgetary estimates:

GENERAL BUDGET SUMMARY

	Total	1982	1983	1984	1985
Professional staff [1/]	2,610,473	500,828	588,488	550,658	970,499
Administrative Support [2/]	201,000	46,755	49,175	51,415	53,655
Subtotal	2,811,473	547,583	637,663	602,073	1,024,154
Travel	280,000	80,000	50,000	80,000	70,000
Organization of meetings	80,000	20,000	20,000	20,000	20,000
Equipment	50,000	30,000	10,000	5,000	5,000
Operation and maintenance	20,000	5,000	5,000	5,000	5,000
Miscellaneous	5,000	2,000	1,000	1,000	1,000
Subtotal	3,246,473	684,583	723,663	713,073	1,125,154
Host Government contribution in kind: Rent of premises including residence of Director-General and his senior staff	320,000	75,000	75,000	85,000	85,000
	3,566,473	759,583	798,663	798,073	1,210,154

1/ TABLE III
2/ TABLE IV

TEAH SALARY SCALE

TABLE II

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Director-General	23,996	24,458	24,720	25,382	25,844	26,306	26,768	27,230	27,692	28,154
	40% 9,598.4	9,783.2	9,968	10,152.8						
(23,996-28,154)	33,594.4	34,241.2	34,888	35,534.8						
Deputy Director-General	22,400	22,848	23,296	23,744	24,192	24,640	25,088	25,536	25,984	26,432
	40% 8,960	9,139.2	9,318.4	9,497						
(22,400-26,432)	31,360	31,987.2	32,614.4	33,241.6						
Director	18,620	19,040	19,460	19,880	20,300	20,720	21,140	21,560	21,980	22,400
	40% 7,448	7,616	7,784	7,952						
(18,620-22,400)	26,068	26,656	27,244	27,832						
Division Chief	15,400	15,792	16,184	16,576	16,968	17,360	17,752	18,144	18,536	18,928
	40% 6,160	6,316.8	6,473.6	6,630.4						
(15,400-18,928)	21,560	22,108.8	22,657.6	23,206.4						
Prof. Staff	12,600	12,964	13,328	13,692	14,056	14,420	14,784	15,148	15,512	15,876
	40% 5,040	5,185.6	5,331.2	5,476.8						
(12,600-15,876)	17,640	18,144.6	18,659.2	9,168.8						
Bilingual Secretary (CL4)	7,980	8,232	8,484	8,736	8,988	9,240	9,492	9,744	9,996	10,240
Stenographer Budget Officer (LS7)	4,140	4,634	4,858	5,082	5,306	5,530	5,754	5,928	6,202	6,426
Accountant Store keeper Secretary (LS6)	3,220	3,388	3,556	3,724	3,892	4,060	4,228	4,396	4,564	4,752
Secretary typist (LS5)	2,555	2,695	2,835	2,975	3,115	3,255	3,395	3,535	3,675	3,815
Other staff (LS4)	1,330	1,414	1,498	1,582	1,666	1,750	1,834	1,918	2,002	2,086

TABLE III

PROFESSIONAL STAFF BUDGET ESTIMATES (COSTS)
(and recruitment schedule)

	Total	1982	1983	1984	1985
1. Director-General 1/	308,274	86,705	71,651	71,823	78,095
2. Deputy Director-General 2/	290,004	81,660	67,137	67,265	73,942
Directors 3/					
3. Director of Administration	68,487				68,487
4. Director of Technical Services	238,451	68,487	54,121	54,931	60,912
Division Chiefs 4/					
5. Personnel/Finance Chief	163,900	—	63,979	49,576	50,345
6. Chief Engineer	163,900	—	63,979	49,576	50,345
7. Chief of Operations	63,979	—	—	—	63,979
8. Legal Adviser	220,187	63,979	49,576	50,345	56,287
9. Controller	220,187	63,979	49,576	50,345	56,287
Professional staff 5/					
10. Design Engineer	60,059	—	—	—	60,059
11. Transport Economist	204,269	60,059	45,615	46,346	52,249
12. Research Engineer	60,059	—	—	—	60,059
13. Cont. Maintenance Engineer	204,269	60,059	45,615	46,346	52,249
14. Roadside Dev. Engineer	60,059	—	—	—	60,059
15. Traffic Engineer	60,059	—	—	—	60,059
16. Consultant	152,020	—	60,059	45,615	46,346
17. External Auditor	23,000	4,000	5,000	6,000	8,000
18. Administrative Assistant	49,310	11,900	12,180	12,490	12,740
Admin. support staff	201,000	46,755	49,175	51,415	53,655
	2,811,473	547,583	637,663	602,073	1,024,154

1/ Table V
2/ Table VI
3/ Table VII
4/ Table VIII
5/ Table IX

TABLE IV

ADMINISTRATIVE SUPPORT STAFF

		1982	1983	1984	1985	Total
Secretary, bilingual	CL 4	7890	8232	8484	8736	33,342
Secretary, stenographer	CL 4	7890	8232	8484	8736	33,342
Budget officer	LS 7	4410	4634	4858	5082	18,984
Accountant	LS 7	4410	4634	4858	5082	18,984
Storekeeper	LS 7	4410	4634	4858	5082	18,984
Secretary	LS 6	3220	3388	3556	3724	13,888
Secretary/typist	LS 5	2555	2695	2835	2975	11,060
Driver	LS 3	1330	1414	1498	1582	5824
Driver	LS 3	1330	1414	1498	1582	5824
Driver	LS 3	1330	1414	1498	1582	5824
Security officer	LS 3	1330	1414	1498	1582	5824
Security officer	LS 3	1330	1414	1498	1582	5824
Security officer	LS 3	1330	1414	1498	1582	5824
Security officer	LS 3	1330	1414	1498	1582	5824
Janitor	LS 3	1330	1414	1498	1582	5824
Janitor	LS 3	1330	1414	1498	1582	5824
		46,755	49,175	51,415	53,655	201,000

TABLE V

BUDGET DETAILS: DIRECTOR-GENERAL

		Total	1982	1983	1984	1985
1.	Base salary	98,756	23,999	24,458	24,920	25,382
2.	Post adjustment (40%)	39,503	9,599	9,783	9,968	10,153
3.	Assignment allowance	8,000	2,000	2,000	2,000	2,000
4.	Dependency allowance	3,600	900	900	900	900
5.	Education grant	18,000	4,500	4,500	4,500	4,500
6.	Installation grant	2,700	2,700	—	—	—
7.	Commutation Annual Leave	5,700	2,100	1,150	1,200	1,250
8.	Travel on recruitment and return with family	10,000	5,000	—	—	5,000
9.	Unaccompanied shipment of household goods, 2 ways	4,500	4,500	—	—	—
10.	Repatriation grant	4,500	1,400	1,500	850	850
11.	Transport of car	800	800	—	—	—
12.	Travel	60,000	15,000	15,000	15,000	1,500
13.	Pension fund contribution	16,225	3,850	4,000	4,125	4,250
14.	Life insurance (subsidy)	400	100	100	100	100
15.	Medical insurance (subsidy)	1,040	260	260	260	260
16.	Contingency	34,500	10,000	8,000	8,000	8,500
		308,274	86,705	71,651	71,823	78,095

TABLE VI

BUDGET DETAILS: DEPUTY DIRECTOR-GENERAL

		Total	1982	1983	1984	1985
1.	Base salary	92,286	22,400	22,848	22,296	23,744
2.	Post adjustment	36,916	8,960	9,139	9,319	9,498
3.	Assignment allowance	8,000	2,000	2,000	2,000	2,000
4.	Dependency allowance	3,600	900	900	900	900
5.	Education grant	18,000	4,500	4,500	4,500	4,500
6.	Installation grant	2,700	2,700	---	---	---
7.	Commutation of annual leave	4,650	1,750	950	900	1,050
8.	Unaccompanied shipment, goods, 2-ways	4,500	4,500	---	---	---
9.	Travel on recruitment and return, with family	10,000	5,000	---	---	5,000
10.	Repatriation grant	3,650	1,200	1,250	700	500
11.	Transport of car	800	800	---	---	---
12.	Travel	60,000	15,000	15,000	15,000	15,000
13.	Pension fund contribution	13,000	3,100	3,200	3,300	3,400
14.	Life insurance (subsidy)	160	40	40	40	40
15.	Medical insurance	1,240	310	310	310	310
16.	Contingency	30,500	8,500	7,000	7,000	8,000
		290,004	81,660	67,137	67,265	73,942

TABLE VII

BUDGET DETAILS: DIRECTOR

		Total	1982	1983	1984	1985
1.	Base salary	77,000	18,620	19,040	19,460	19,880
2.	Post adjustment	30,800	7,448	7,616	7,784	7,952
3.	Assignment allowance	8,000	2,000	2,000	2,000	2,000
4.	Dependency allowance	3,600	900	900	900	900
5.	Education grant	18,000	4,500	4,500	4,500	4,500
6.	Installation grant	2,700	2,700	—	—	—
7.	Commutation of annual leave	3,781	1,370	756	805	850
8.	Travel on recruitment and return, with family	10,000	5,000	—	—	5,000
9.	Unaccompanied shipment of household goods, two ways	4,500	4,500	—	—	—
10.	Repatriation grant	2,752	917	980	555	300
11.	Transport of car	800	800	—	—	—
12.	Travel	40,000	10,000	10,000	10,000	10,000
13.	Pension fund contribution	9,798	2,302	2,399	2,497	2,600
14.	Life insurance (subsidy)	148	37	37	37	37
15.	Medical insurance (subsidy)	1,572	393	393	393	393
16.	Contingency	25,000	7,000	5,500	6,000	6,500
		238,451	68,487	54,121	54,931	60,912

TABLE VIII

BUDGET DETAILS: DIVISION CHIEF, CONTROLLER, LEGAL ADVISER

		Total	1982	1983	1984	1985
1.	Base salary	63,952	15,400	15,792	16,184	16,576
2.	Post adjustment	25,584	6,160	6,319	6,474	6,631
3.	Assignment allowance	8,000	2,000	2,000	2,000	2,000
4.	Dependency allowance	3,600	900	900	900	900
5.	Education grant	18,000	4,500	4,500	4,500	4,500
6.	Installation grant	2,700	2,700	—	—	—
7.	Commutation of annual leave	3,781	1,370	756	805	850
8.	Travel on recruitment and return, with family	10,000	5,000	—	—	5,000
9.	Unaccompanied shipment of household goods, 2 ways	4,500	4,500	—	—	—
10.	Repatriation grant	2,752	917	980	555	300
11.	Transport of car	800	800	—	—	—
12.	Travel	40,000	10,000	10,000	10,000	10,000
13.	Pension fund contribution	9,798	2,302	2,399	2,497	2,600
14.	Life insurance (subsidy)	148	37	37	37	37
15.	Medical insurance (subsidy)	1,572	393	393	393	393
16.	Contingency	25,000	7,000	5,500	6,000	6,500
		220,187	63,979	49,576	50,345	56,287

TABLE IX

BUDGET DETAILS: PROFESSIONAL STAFF

		Total	1982	1983	1984	1985
1.	Base salary	52,584	12,600	12,964	13,328	13,692
2.	Post adjustment	21,034	5,040	5,186	5,331	5,477
3.	Assignment allowance	8,000	2,000	2,000	2,000	2,000
4.	Dependency allowance	3,600	900	900	900	900
5.	Education grant	18,000	4,500	4,500	4,500	4,500
6.	Installation grant	2,700	2,700	—	—	—
7.	Commutation of annual leave	3,781	1,370	756	805	850
8.	Travel on recruitment and return, with family	10,000	5,000	—	—	5,000
9.	Unaccompanied shipment of household goods, 2 ways	4,500	4,500	—	—	—
10.	Repatriation grant	2,752	917	980	555	300
11.	Transport of car	800	800	—	—	—
12.	Travel	40,000	10,000	10,000	10,000	10,000
13.	Pension fund contribution	9,798	2,302	2,399	2,497	2,600
14.	Life insurance (subsidy)	148	37	37	37	37
15.	Medical insurance (subsidy)	1,572	393	393	393	393
16.	Contingency	25,000	7,000	5,500	6,000	6,500
		204,269	60,059	45,615	46,346	52,249

ANNEX VI

RESOLUTION ON THE TRANS-EAST AFRICAN HIGHWAY AUTHORITY

The Trans-East African Highway Co-ordinating Committee, at its second meeting held at Khartoum, the Sudan, from 13 to 16 March 1978,

Considering the imperative need to continue efforts to achieve the implementation of the Trans-East African Highway project and the feeder links for the integration of neighbouring States,

Believing that the implementation of the later stages of the Trans-East African Highway project and its feeder links requires the establishment of an operational body entrusted with responsibilities that can not be entrusted to the present Trans-East African Highway Co-ordinating Committee or the ECA Trans-African Highways Programme,

1. Strongly recommends that a Trans-East African Highway Authority, whose constitution is annexed to the present resolution, should be established.

2. Further recommends that funds should be made available for the operational expenses of this body;

3. Invites the Executive Secretary of ECA to undertake consultations with member States with a view to establishing the Trans-East African Highway Authority before the end of 1979.

CONSTITUTION OF THE CAIRO-GABORONE TRANS-EAST AFRICAN HIGHWAY AUTHORITY

The Government of the States parties to this Constitution,

Considering the principles and objectives laid down in the Charter of the Organization of African Unity whereby African States have pledged to promote and strengthen intra-African solidarity and co-operation in the political, economic and social fields and in transport and communications,

Aware that the best way to link the various national and international road networks and to reduce the cost of the construction, improvement and maintenance of these networks is for them to co-operate with one another and to co-ordinate activities relating to the road system,

Realizing the need for them to assume all the responsibilities related to their desire to construct the Cairo-Gaborone Trans-East African Highway and its feeder roads, particularly with regard to matters relating to the co-ordinated planning of their construction and maintenance,

Recognizing that a Trans-East African Highway Authority will best serve these purposes,

Have agreed to the following provisions:

Article 1

Establishment and membership

1. There is hereby established in accordance with the provisions of this Constitution, an Authority to be called the Cairo-Gaborone Trans-East African Highway Authority (hereinafter referred to as the "Authority").

2. The Authority shall consist of the States through which the Cairo-Gaborone Trans-East African Highway hereinafter referred to as the "Highway" passes, that is to say:

the Arab Republic of Egypt, the Democratic Republic of the Sudan, Ethiopia, the Republic of Kenya, the United Republic of Tanzania, the Republic of Zambia and the Republic of Botswana;

3. African States which are neighbours to the States referred to in paragraph 2 of this Article and whose road networks are linked with or are likely to be linked with the Highway and which apply in writing to the Governing Council for that purpose may become associate members of the Authority or such conditions as the Governing Council may determine.

Article 2

Objectives

1. The objectives of the Authority shall be to co-ordinate the construction to an all-weather standard and the efficient utilization of the Highway.

2. In order to attain the objectives specified in paragraph 1 of this Article, the Authority shall be responsible for:

(i) co-ordinating the necessary detailed feasibility studies, engineering design studies, construction and maintenance of all sections of the Highway and its feeder links;

(ii) taking all necessary measures for the efficient utilization of the Highway and its feeder roads and particularly those aimed at standardizing and harmonizing customs formalities and traffic regulations on the Highway.

Article 3

Status of the Authority

1. The Authority shall be a legal personality in international law. It shall be empowered to enter into agreements and contracts, to acquire, hold and dispose of immovable and movable property, to borrow and to give loans and make grants and to institute legal proceedings.

2. The Authority, its staff and individuals attending meetings of its organs in an official capacity shall within the territories of the members of the Authority be granted such immunities, privileges and facilities as may be required for the effective discharge of their duties in pursuance of the provisions of this Constitution or of decisions taken in accordance with this Constitution by the appropriate organs of the Authority.

3. The extent of the privileges and immunities of the Authority and of its members, property, funds and assets shall be determined mutatis mutandis, in accordance with the provisions of the Convention on the Privileges and Immunities of the Specialized Agencies of the United Nations.

Article 4

Headquarters and working languages

1. The Authority shall have its headquarters at Nairobi and shall enter into agreements with the Government of the Republic of Kenya as appropriate, concerning the status of the headquarters.

2. The official working languages of the Authority shall be English and French provided that certain important official documents shall be produced also in Arabic.

Article 5

Organs of the Authority

The Authority shall have the following organs:

(a) A Governing Council;
(b) A General Directorate;
(c) An Advisory Board; and
(d) Such subsidiary bodies as may be established by the Governing Council.

Article 6

Membership of the Governing Council

1. The Governing Council shall consist of one representative out of all the members of the Authority, and the Secretary-General of the Organization of African Unity and the Executive Secretary of the Economic Commission for Africa as ex-officio members without the right to vote.

2. The members of the Governing Council shall be appointed for a term of three years and may be reappointed.

3. The Chairmanship and Vice-Chairmanship of the Governing Council which shall be for a year at a time, shall rotate among the members of the Authority in the English alphabetical order.

4. When for any good cause a member of the Governing Council is unable to act as such the member of the Authority whom he represents, shall appoint another person to replace such member and the person so appointed shall have all the powers, rights and responsibilities of a member of the Governing Council.

5. The Chairman of the Governing Council and the Director-General of the Authority shall be notified in writing of all appointments to the Governing Council.

6. The Chairman of the Governing Council or in his absence, the Vice-Chairman, shall preside over all meetings of the Governing Council. In the absence of both the Chairman and the Vice-Chairman, the members present and forming a quorum shall elect a Chairman for the meeting in question from among themselves.

Article 7

Funding of the Governing Council

The Governing Council shall be the supreme organ of the Authority. It shall be empowered to:

(i) draw up the programme of studies and improvements of the Highway in consultation with the members of the Authority;

(ii) determine the financial contributions of members of the Authority to the operating budget of the Authority;

(iii) adopt the operating budget of the Authority;

(iv) borrow, in the name of the Authority, funds which may be required for the attainment of the objectives of the Authority;

(v) enter into contracts on behalf of the Authority;

(vi) appoint the Director-General of the Authority, determine his salary and the other conditions of his employment and, if it deems necessary, assign to him duties and powers other than those specified in this Constitution;

(vii) appoint the Financial Controller and Auditor of the Authority and determine their salaries and general conditions of service;

(viii) determine the salaries, wages and general conditions of service of the staff of the General Directorate other than those referred to in this Article, and such subsidiary bodies as it may establish;

(ix) establish such subsidiary bodies as it deems necessary for the purpose of achieving the objectives of the Authority;

(x) issue instructions to the Director-General of the Authority, and to such subsidiary bodies as it may establish;

(xi) approve the admission of associate members of the Authority;

(xii) adopt the administrative and financial regulations to be applied by the Authority;

(xiii) subject to any specific directives which may be issued by the members of the Authority, take any other necessary measures appropriate to the objectives of the Authority.

Article 8

Meeting of the Governing Council

1. The Governing Council shall meet once a year in regular session. At the request of a simple majority of its members, it may also hold special sessions. Subject to this Constitution, the Governing Council shall determine its own rules of procedures.

2. Meetings of the Governing Council shall be held at the headquarters of the Authority or in the territory of any of the members of the Authority at the invitation of the Government of the members in question.

3. The Director-General shall notify the members of each meeting of the Governing Council at least six weeks before the date set for the meeting. Notice of meetings shall be accompanied by a detailed agenda and by reports introducing the items to be discussed.

4. The agenda of meetings of the Governing Council shall be prepared by the Director-General of the Authority in consultation with the Chairman of the Governing Council.

5. All decisions of the Governing Council except those on financial matters, which require an absolute majority of the members, shall require a simple majority of the members present. The Council may not meet unless at least two thirds of its members are present.

6. A record shall be kept of the meetings of the Governing Council and shall be adopted at the closing meeting of each session.

Article 9

The General Directorate and its functions

1. The General Directorate shall be the principal executive organ of the Authority. It shall be placed under the authority of a Director-General appointed for a period of four years and eligible for reappointment.

2. The Director-General shall have the following functions:

(i) to convene meetings of the Governing Council, the Advisory Board and such subsidiary bodies as may be established and to prepare the agenda for all such meetings;

(ii) to participate in the meetings of the Governing Council, the Advisory Board and any subsidiary bodies as may be established by the Governing Council;

(iii) subject to any instructions which might be issued by the Governing Council, to take decisions relating to the organization and staff of the General Directorate and of such subsidiary bodies as may be established by the Governing Council and to fill the various posts in the General Directorate;

(iv) when delegated to do so by the Governing Council, to perform and exercise duties and powers normally performed and exercised by the Council;

(v) to provide secretarial services to the Governing Council, the Advisory Board and such subsidiary bodies as may be established by the Governing Council;

(vi) to prepare a draft programme of work of the Authority and its organs and to submit this draft to the Governing Council for its approval;

(vii) to prepare and submit to the Governing Council for approval annual statements of accounts and provisional estimates of the receipt and expenditures of the Authority and its organs;

(viii) to transmit decisions taken by the organs of the Authority to the members of the Authority;

(ix) to ensure that decisions taken by the Governing Council, especially those relating to the implementation of the various programmes of work, are executed; and

(x) to perform any services required for the effective operation of the Authority as may be assigned to him by the Governing Council and to make any suggestions which may contribute to the effectiveness of the Authority.

3. The Director-General shall appoint officers and revoke appointments to the General Directorate in accordance with the staff rules and regulations adopted by the Governing Council as provided in paragraphs (viii) and (xiii) of Article 7 of the Constitution. Except as provided for in paragraph 4 of this Article, the Directorate staff shall be composed of national of the members of the Authority.

4. The Director-General may accept the secondment of technical assistance personnel provided by States which are not members of the Authority or international organizations and remunerated by them. The conditions of service and privileges of such personnel shall be agreed upon bilaterally.

Article 10

Financial Control

1. The financial control of the Authority shall be the responsibility of a Financial Controller appointed by the Governing Council as specified above in paragraph (vii) of Article 7 of this Constitution.

2. The Financial Controller shall, in an advisory capacity, attend the meetings of the Governing Council, the Advisory Board and any subsidiary bodies which might be established by the Governing Council.

3. The Financial Controller, who shall be responsible to the Director-General shall be responsible for administering the finances of the Authority and its General Directorate and for ensuring that this is done in conformity with the decisions of the Governing Council.

4. The Financial Controller shall ensure that the accounts and registers faithfully record the receipts and expenditures of the Authority and its organs. On receipt of the Auditor's certified accounts and the Auditor's report, the Financial Controller shall forward them, without delay, together with his own report, to the Governing Council and in any case not later than two months from the end of the fiscal year to which the accounts relate; in exceptional cases they may be delayed longer when so decided by the Governing Council.

Article 11

Auditing of accounts

1. The accounts of the Authority and its General Directorate shall be audited by an Auditor appointed by the Governing Council as specified in paragraph (vii) of Article 7 of this Constitution. For this purpose, the Auditor or his duly authorized representative shall have access to all books, registers, statements and other documents pertaining to the accounts. On receipt of the statements of account transmitted to him as provided for in paragraph 4 of Article 10 of this Constitution, the Auditor shall send the certified statements, along with his report, to the Financial Controller for submission to the Governing Council.

2. In exercising the duties referred to in this Article, the Auditor shall be responsible only to the Governing Council.

Article 12

The Advisory Board

1. The Advisory Board shall consist of:

   (i) one representative of each member and each associate member of the Authority;

(ii) one representative of any donor country which in the view of the Governing Council has provided the Authority with substantial financial or technical assistance;

(iii) one representative each of the Economic Commission for Africa (ECA), the Organization of African Unity (OAU), the United Nations Development Programme (UNDP), the World Bank, the African Development Bank (ADB), the Arab Bank for Economic Development in Africa (BADEA), the European Development Fund (EDF), the International Road Federation (IRF), and any other aid organizations or entities of recognized competence which may be approved by the Governing Council.

2. The Advisory Board shall meet in regular session once a year and may hold special meetings at the request of a simple majority of its members. Meetings of the Advisory Board shall be convened by the Director-General of the Authority.

3. Without prejudice to the provisions of this Constitution, the advisory Board shall determine its own rules of procedure.

4. The Advisory Board shall have the following functions:

(i) to advise on the activities, work programmes and administration of the Authority and of its General Directorate;

(ii) to make recommendations to the Governing Council concerning the work programme and its financing;

(iii) to give its opinion on any problems referred to it by the Governing Council.

Article 13

Budget of the Authority

1. The budget of the Authority shall be prepared and implemented as specified in the financial regulations approved by the Governing Council.

2. Every budget proposal shall provide for the amount necessary to cover the annual operating expenditures of the Authority, the payment of wages and salaries to staff employed in the organs of the Authority and other regular expenses incurred in operating these organs.

Article 14

Obligation of the member of the Authority

The membersoof the Authority shall co-operate in every way possible with a view to helping the Authority to fulfil its objectives. In particular, they shall:

(i) honour their financial commitments to the Authority by paying the contributions referred to in paragraph (ii) of Article 7 of this Constitution;

(ii) facilitate the collection, exchange and dissemination of information required for the effective ioeratuib of the Authority;

(iii) submit such reports and information as may be required by the competent organs of the Authority;

(iv) second personnel to the organs of the Authority on such terms as may be agreed upon with the Director-General; and

(v) participate regularly in the meetings of the various organs of the Authority unless they are prevented from doing so for reasons beyond their control.

Article 15

Relations with other bodies

1. The Authority shall co-operate closely with Governments and bodies concerned with its activities, and especially with the United Nations Economic Commission for Africa and the Organization of African Unity.

2. In carrying out the provisions of paragraph 1 of this Article, the Authority shall establish such facilities for co-operation with such Governments and bodies as the Governing Council deems necessary.

Article 16

Withdrawal

1. Any member of Authority may, by giving written notice to the Chairman of the Governing Council through the Director-General, withdraw from membership of the Authority provided that a period of one year has elapsed from the date on which it become a member. The Chairman shall inform the other members of the Authority of such withdrawal by letter immediately.

2. Withdrawal shall not become effective until a period of one year has elapsed from the date of receipt by the Chairman of the Governing Council of the notice of withdrawal; a notice of withdrawal may be retracted at any time during the prescribed period of one year.

3. Any member of the Authority which withdraws from membership in the Authority shall nevertheless remain liable for the discharge of its financial obligations to the Authority, including the payment of the contributions to which it is liable in respect of the entire year before its notice of withdrawal takes effect.

Article 17

Settlement of disputes

Any dispute which may arise as to the application or interpretation of any provision in this Constitution shall, if it cannot be settled by the members of the Authority concerned, be referred to the Commission for Mediation, Conciliation and Arbitration in accordance with Article 19 of the Charter of the OAU, whose decision in the matter shall be binding on all the members of the Authority.

Article 18

Amendments

This Constitution may be amended by decision taken by two-thirds of the members of the Authority.

Article 19

Dissolution

The Authority may be dissolved by a decision of three quarters of its members, which shall then establish a committee for the orderly liquidation of assets and liabilities of the Authority.

Article 20

Final Provisions

1. This Constitution shall come into force as soon as the duly authorized representatives of the Governments of four of the members of the Authority affix their signatures thereto and ratified by two thirds by the member of the Authority.

2. The original of this Constitutions, of which the English, French and Arabic texts are equally authentic, shall be deposited with the Executive Secretary of the United Nations Economic Commission for Africa who shall have certified copies of it transmitted to all the member States, and to the Secretary-General of the Organization of African Unity.

ANNEX VI

HEADQUARTERS AGREEMENT CONCERNING THE CAIRO-GABORONE TRANS-EAST AFRICAN HIGHWAY AUTHORITY

AGREEMENT BETWEEN THE GOVERNMENT OF KENYA AND CAIRO-GABORONE TRANS-EAST AFRICAN HIGHWAY AUTHORITY ESTABLISHING THE HEADQUARTERS OF THE AUTHORITY IN NAIROBI, KENYA

The Government of the Republic of Kenya and the Cairo-Gaborone Trans-East African Highway Authority;

Pursuant to the decision adopted by the Governing Council of Ministers of the member States at the inaugural session of the Cairo-Gaborone Trans-East African Highway Authority held in Nairobi, Kenya from 16 to 21 November 1981, establishing the headquarters of the Trans-East African Highway Authority in Nairobi;

Considering that it is desirable to conclude an agreement, complementary to the Constitution of the Cairo-Gaborone Trans-East African Highway Authority, in order to regulate matters arising from the establishment of the Authority in Nairobi, Kenya;

HEREBY AGREE as follows:

ARTICLE 1

Definition

1. In this Agreement:

"Authority" means the Cairo-Gaborone Trans-East African Highway Authority;

"Competent authorities" means the Government, municipal or other authorities of Kenya;

"Director-General" means the Director-General of the Authority or any official designated by him to act on his behalf;

"Government means the Government of the Republic of Kenya;

"Officials of the Authority" means the Director-General and all members of the staff of the Authority, except those recruited locally on the basis of an hourly or daily wage scale.

ARTICLE 2

The Headquarters seat

1. The offices of the Authority shall be at the headquarters of the Authority; they may be moved only if the Authority so decides. Any temporary move of these offices to another place shall become a permanent move only if the Authority has taken a specific decision to **that effect.**

2. The Authority may establish, set up and utilize the research and documentation services and all the technical means needed to pursue its objectives. These services and means shall be accompanied by appropriate guarantees, which shall be determined by agreement with the **competent** Kenyan authorities.

3. At the Authority's request, the competent Kenyan authorities shall make arrangements, according to such conditions and terms as may be agreed to in a supplementary agreement, to ensure that the Authority is able to acquire and utilize appropriate premises for this purpose and so that the said premises may be included as part of the headquarters.

ARTICLE 3

Inviolability of premises

1. The headquarters and all premises used by the Authority for its own needs or those of its staff shall be inviolable wherever they may be situated.

2. The competent Kenyan authorities shall demonstrate due diligence in ensuring that the peace of headquarters is not disturbed by unauthorized interruptions by groups of individuals from outside or by disturbances arising in the immediate vicinity; to that end they shall take such steps as are needed to maintain order around the headquarters.

3. Officials of the Government of Kenya, whether they are executive, administrative, armed forces or police officials, may enter the headquarters only with the consent of the Director-General and on such terms as may be laid down by him.

4. If the Director-General so requests, the competent Kenyan authorities shall provide police in sufficient numbers to maintain order at the headquarters and to expel individuals when requested to do so on the responsibility of the Director-General and the Authority.

5. The Authority shall ensure that the headquarters in no case becomes an open refuge for persons seeking to escape arrest under Kenyan law, sought by the Government for extradition to another country or seeking to avoid being summoned before the courts.

ARTICLE 4

Immunity from seizure of property and assets

The property and assets of the Authority, no matter where they are located or in whose possession they may be, shall enjoy immunity from search, requisition, confiscation, expropriation or any form of seizure by the executive, legislative or judicial branch.

ARTICLE 5

Officials of the Authority

1. The officials of the Authority shall enjoy, in the territory of the Republic of Kenya, the following privileges and immunities:

(a) immunity from prosecution in respect of actions performed including words spoken and written in their official capacity. This immunity shall continue to be extended to them after they cease to exercise their functions;

(b) immunity from arrest or detention;

(c) immunity from seizure of their personal and official luggage;

(d) freedom from taxation on salaries and emoluments paid by the Authority;

(e) exemption from national service obligations;

(f) neither they nor members of their family and household, shall be subject to immigration regulations and alien registration formalities;

(g) the same privileges concerning currency exchange as those granted the staff of similar rank of other international organizations and diplomatic missions established in Kenya;

(h) the same repatriation facilities for themselves and members of their family and household as diplomatic envoys, in times of international crisis;

(i) exemption, except in the case of nationals of Kenya and permanent foreign residents of that country, from all forms of direct taxation upon income from sources outside Kenya; freedom to retain, within Kenya or elsewhere, foreign stock and other personal or real estate during the time that they are employed by the Authority in Kenya and upon termination of such employment freedom to take out of Kenya funds in currencies other than local currency without restriction or limitation, provided that they can prove that they have acquired such funds by ligitimate means;

(j) the right to import, duty-free and without any restriction, their furniture, personal effects and private automobiles. The same regulations shall apply to officials, other than nationals of Kenya and Foreign permanent residents of Kenya in the import, transfer or replacement of automobiles as apply to resident members of diplomatic missions of comparable rank.

2. All officials of the Authority shall be provided with a special identity card certifyingthat they are officials of the Authority and enjoy the privileges and immunities provided for in this Agreement; the competent Kenyan authorities shall recognize this document as valid.

ARTICLE 6

Members of the Governing Council

Members of the Governing Council of the Authority representing various governments shall enjoy in the territory of Kenya during the performance of their functions and during the journey to or from headquarters, such privileges and immunities as are granted to diplomatic agents of similar rank under international law including the privileges and immunities contained in the Convention on the Privileges and Immunities of the United Nations and similar privileges and immunities of the Organization of African Unity.

ARTICLE 7

Communications and transport

1. For its official communications and the conveyance of any document the Authority shall enjoy in Kenya the same treatment as is given by the Government to the other international organizations and foreign diplomatic missions established in Kenya.

2. The official correspondence and other means of communications of the Authority shall not be subject to any censorship. Such immunity shall extend, inter alia, but not be limited to the following publications, documents, maps, photographs, films, sound recordings and other scientific recordings which are intended for use by the Authority in its work and activities and which the latter may send or receive either by courier or in closed bags enjoying the same privileges and immunities as diplomatic couriers and pouches.

3. For official purposes, the Authority is entitled to use the transport facilities operated by the Government on the same terms as regards rates and treatment as those granted to diplomatic missions and other international organizations established in Kenya.

ARTICLE 8

Access and residence

1. The competent Kenyan authorities shall grant the persons listed below the right to enter and leave, to stay in and pass through Kenyan territory when necessary for the smooth performance of their duties:

   (a) members of the Governing Council of the Authority and their spouses;

   (b) officials of the Authority and their families;

   (c) persons other than officials of the Authority on official mission for the Authority and their spouses;

   (d) persons invited to headquarters on official business whose names shall be communicated to the Government by the Director-General of the Authority;

   (e) persons participating in meetings, seminars or workshops convened by or organized by the Authority.

2. Every facility shall be extended to them to speed them on their journey; the necessary visas shall be issued to them as soon as possible and free of charge.

3. It is understood that the provisions of paragraph 1 of this Article shall not apply in the event of a general interruption of transport services and shall not stand in the way of the law and general regulations applicable to the operation of transport facilities.

4. At the request of the Director-General, the Government shall provide international staff of the Authority with suitable accommodation at a reasonable rent.

5. Implementation of the these provisions of this Article shall not exempt persons claiming the right to them from the need to produce sufficient proof that they do, in fact, fall within the categories mentioned in paragraph 1 of this Article.

ARTICLE 9

Raison d'etre and implementation of privileges and immunities

1. The privileges and immunities contained in this Agreement are granted in the interest of the Authority and not in the personal interest of those who benefit from them. The Director-General of the Authority, with the agreement of the Chairman of the Governing Council of the Authority, has the right and the obligation to waive the immunity granted to an official in cases where he feels that the immunity should and can be waived without prejudice to the interests of the Authority.

2. The Authority shall co-operate at all times with the Kenyan authorities to facilitate the proper administration of justice, to ensure observance of police regulations and prevent any abuse of the privileges, immunities and facilities referred to in this Agreement.

ARTICLE 10

Undertaking by the host country

The host country undertakes that in consideration of its financial contributions to the budget of the Authority being reduced, it shall during the first year of the entry into force of the Constitution of the Authority make these contributions to the running of the Authority:

(a) provide suitable office accommodation to the Authority without charge;

(b) provide suitable residential accommodation for international staff at reasonable rentals. Residential accommodation for the Director-General and Deputy Director-General shall be without charge to either of them,

(c) advance all the funds necessary for the efficient functioning of the Authority during its first year of operations;

(d) provide the Authority with service vehicles on a temporary basis; the actual terms and conditions of such user of vehicles shall be agreed between the Director-General and the Government of the host country,

(e) the competent authorities shall exercise to the extent requested by the Director-General the powers which they possess and respect to the supply of public services to ensure that the Authority shall be supplied on equitable terms with the necessary public services including electricity, water, gas, post, telephone, telegraph, transportation, drainage, collection of refuse, fire protection, etc. In case of any interruption or threatened interruption of such services, the competent authorities will consider the needs of the Authority as being of equal importance with the similar needs of essential agencies of the Government, and will take steps accordingly to ensure that the work of the Authority is not prejudiced.

ARTICLE 11

Co-operation between the Government and the Authority

1. The Government shall do all that is necessary to ensure that its technical services, universities and other educational establishments support the Authority, specifically as regards such matters as the organization of conferences, seminars and field studies.

2. The Government shall also authorize any land transport vehicle utilized by or for the Authority to enter, traverse, move and stay within and leave its territory for such purposes as required for the use of such vehicles in such areas as may be agreed by the Government and the Authority. Such vehicles shall be exempt from all duties except those payable for services actually rendered, and from all duties and charges imposed for entering, moving and staying in, passing through or departing from Kenya. Personnel assigned to such vehicles shall enjoy immunity from prosecution in respect of actions performed in their official capacity. The Authority shall, however, ensure that its transport vehicles or those utilized on its behalf observe all the laws and regulations in force in Kenya, specifically the laws and regulations concerning the maintenance and use of such vehicles; it shall itself take out or have others take out insurance for any damage that might be occasioned in connexion with the utilization of these vehicles.

ARTICLE 12

Interpretation and application

1. The Kenyan Government and the Authority shall be empowered to conclude such additional agreements as may be necessary for the purpose of the effective implementation of the provisions of this Agreement.

2. Wherever this Agreement imposes obligations on the competent Kenyan authorities, responsibility for the implementation of these obligations shall fall upon the Government.

3. The provisions of this Agreement and of such additional agreements as may be concluded shall be interpreted and implemented in the light of the purpose of the Agreement or main purposes of the agreements to enable the Authority to fully and effectively carry out its responsibilities and to achieve the objectives of the Agreement establishing the Authority.

4. The provisions of the Constitution of the Authority and of this Agreement shall where they relate to the same subject-matter be treated, wherever possible, as complementary so that the provisions of both shall be applicable and neither shall narrow the effect of the other; but in any case of absolute conflict, the provisions of this Agreement shall prevail.

ARTICLE 13

Amendment of the Agreement

This Agreement may be amended by mutual consent of the Government and the Authority, each part being obliged to give all the necessary consideration to requests for amendment submitted by the other.

ARTICLE 14

Settlement of disputes

Any dispute that may arise between the Government and the Authority concerning the interpretation or application of this Agreement or any additional agreement shall, if it cannot be settled through negotiation, be submitted to a tribunal consisting of three members, one of whom shall be appointed by the Chairman of the Governing Council of the Authority, one by the Government and the third shall be chosen by the first two or, if they cannot agree, by the Chairman of the Commission for Mediation, Conciliation and Arbitration of the Organization of African Unity.

ARTICLE 15

Final provisions

1. This Agreement and any additional agreement concluded by the Government and the Authority in accordance with the provisions of this Agreement shall terminate one year after either party informs the other, in writing, of its decision to cancel the Agreement or any additional agreement, except as concerns provisions that may apply to the normal cessation of activities of the Authority in Kenya and the cession of its property.

2. This Agreement shall enter into force upon the date of its signature by duly accredited representatives of the Government and of the Authority.

IN WITNESS whereof the undersigned have placed their signature at the end of this Agreement.

DONE at Nairobi, Kenya in the English and French languages, both texts being equally authentic the........................day of..............
..................1981.

For the Government of
the Republic of Kenya

For the Cairo-Gaborone Trans-East
African Highway Authority

ANNEX VII

DRAFT RULES OF PROCEDURE

IN EXERCISE of the powers conferred on it by paragraph ___ of Article ___ of the Constitution of the Authority, the Governing Council of the Authority hereby makes the following rules:

GENERAL PROVISIONS

Rule 1

The Governing Council of the Cairo-Gaborone Trans-East African Highway Authority (hereinafter referred to as "the Council") shall meet in ordinary session at least once a year at the Headquarters of the Authority or at such other place as the Council may decide upon an invitation by a member State.

Rule 2

The Council may hold extraordinary meetings at the request of its Chairman or of at least two-thirds of its members.

Rule 3

(a) Any member of the Council, other than the Chairman of the Council or the Director-General of the Authority, shall cease to be a member of the Council upon receipt by the Director-General of the Council of a notice in writing of the revocation of his appointment by the Government which appointed him to be a member of the Council, and that Government shall as soon as possible appoint another member of the Council.

(b) If the Council is satisfied that one of its members other than the Chairman of the Council or the Director-General of the Authority has been absent from two consecutive meetings of the Council without informing the Director-General of the Authority of the reason for such absence as soon as possible, is incapacitated by prolonged physical or mental illness or is otherwise unable or unfit to discharge the functions of a member of the Council, the Council may advise the Government which appointed such a member of its findings.

(c) The validity of any act or proceedings of the Council shall not be affected by any vacancy among the members thereof, or by any defect in the appointment of any member thereof, or by reason that some person who was not entitled to do so took part therein.

Rule 4

The Director-General of the Authority shall convey to the members of the Council information concerning all meetings of the Council by letter at least six weeks in advance of the meeting concerned.

Rule 5

Upon receipt of notice of a meeting, each member of the Council shall notify the Director-General at least two weeks in advance, whether or not he intends to attend the meeting.

Rule 6

A simple majority of the members of the Council shall constitute a quorum.

Rule 7

Members who cannot attend a meeting may delegate their voting rights to another member of the Council, provided that the member is not already representing another member. A letter of authorization for any such delegation of voting rights shall be handed to the Director-General before the meeting.

Rule 8

Observers may be invited to attend and participate in any meeting of the Authority without the right to vote.

Rule 9

In addition to exercising the powers conferred upon him elsewhere in these rules, the Chairman shall declare the opening and closing of each meeting of the Authority. He shall direct the discussions at meetings, ensure the observance of these rules, call on speakers, put questions to the vote in accordance with the procedure laid down in the Constitution of the Authority and announce the results of the voting.

CONDUCT OF BUSINESS

Rule 10

The Chairman of the Council, or his representative shall personally preside over all meetings of the Council. In their absence, the members shall appoint one of their number, other than the Director-General, to preside.

Rule 11

During the discussions, a member may at any time raise a point of order, which shall immediately be decided by the Chairman in accordance with these rules. A member may appeal against the ruling of the Chairman, such an appeal shall immediately be put to the vote, and the Chairman's ruling shall stand unless overruled by a majority of the members present and voting. A member raising a point of order may not speak on the substance of the matter under discussion.

Rule 12

The Council may, at the suggestion of the Chairman, limit the time to be allowed to each speaker on any particular subject under discussion.

Rule 13

(a) Subject to the provisions of Rule 11, the following kinds of motion shall have precedence, in the order shown, over all other proposals or motions before the meeting:

(i) to suspend the meeting;

(ii) to adjourn the meeting;

(iii) to adjourn the debate on the item under discussion;

(iv) for the closure of the debate on the item under discussion.

(b) Permission to speak on motions in the four categories mentioned in sub-paragraph (a) of this Rule shall be granted only to the speaker proposing the motion and to one speaker in favour of the motion and two against it after which it shall be immediately put to the vote.

Rule 14

Proposals and amendments to them shall normally be submitted in writing to the Director-General of the Authority, who shall circulate copies to the members. As a general rule, no proposal or amendment shall be discussed or put to the vote at any meeting of the Council unless copies of it have been circulated to all members not later than the day preceding the meeting. The Chairman may, however, permit the discussion and consideration of amendments even though they have not been circulated, or have only been circulated the same day.

Rule 15

A motion may be withdrawn by its proposer at any time before voting on it has begun, provided that it has not been amended and that an amendment to it is not under discussion. A motion thus withdrawn may be reintroduced by any member.

Rule 16

When a proposal has been adopted or rejected it may not be reconsidered at the same session of the Council unless a two-thirds majority of the members present and voting so decides. Permission to speak on a motion to reconsider shall be accorded only to the mover and one other supporter and to two speakers opposing the motion, after which it shall be immediately put to the vote.

Rule 17

(a) Subject to the provisions of the Constitution of the Authority and to Rules 16, 23 and 24 of these Rules decisions of the Council shall be taken by a simple majority of the members present and voting.

(b) All members of the Council shall have one vote each.

(c) If a vote is equally divided, the Chairman shall cast the deciding vote.

(d) For the purpose of these rules, the phrase "members present and voting" means members casting an affirmative or negative vote. Members who abstain from voting or who cast an invalid vote shall be considered as not voting.

Rule 18

The Council shall normally vote by a show of hands. However, any member may request a roll-call vote, which shall be taken in the English alphabetical order of the names of the members participating in the meeting, beginning with the State whose name is drawn by lot by the Chairman. The vote of each member participating in a roll-call vote shall be inserted in the minutes of the meeting concerned.

Rule 19

(a) Parts of a proposal or amendments to a proposal shall be voted on separately if the Chairman, with the consent of the sponsor, so decides or at the request of any member with the consent of the sponsor. If the sponsor objects, permission to speak on the point shall be given first to the speaker proposing that the proposal or amendment be put to the vote in parts and then to the sponsor of the proposal or amendment under discussion, after which the motion to divide the proposal or amendment shall be immediately put to the vote.

(b) These parts of a proposal which have been approved shall then be put to the vote as a whole if all the operative parts of the proposal or amendment have been rejected, the proposal or amendment shall be considered to have been rejected as a whole.

Rule 20

(a) A motion is considered to be amendment to a proposal if it adds to, deletes from or revises that proposal. An amendment shall be voted on before the proposal to which it relates is put to the vote.

(b) If two or more amendments are moved to a proposal, the Council shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom, and so on, until all amendments have been put to the vote. When, however, the adoption of an amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote.

Rule 21

If two or more proposals relate to the same question, the Council shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. The Council may, after each vote on a proposal, decide whether to vote on the next proposal.

Rule 22

The Council may make standing orders with respect to the holding of meetings of the Council, the notices to be given of such meetings and the proceedings then, the keeping of minutes of such proceedings and the custody and production for inspection of such minutes, provided that such standing orders are not inconsistent with these rules.

Rule 23

Any of these rules may be suspended by a two-thirds majority vote of the Council, provided that 24 hours' notice of the proposal for the suspension has been given. The notice may be waived if no member objects.

Rule 24

Any of these rules may be amended by a two-thirds majority vote of the Council in full session provided that two months' notice of the proposal amendment has been given.

Rule 25

Subordinate bodies of the Council shall follow these rules in so far as they are applicable.

Rule 26

Before the closing of each meeting of the Council, the place and date of the next meeting shall be decided.

ANNEX VIII

CAIRO GABORONE TRANS-EAST AFRICAN HIGHWAY AUTHORITY

Draft Financial Regulations

IN EXERCISE of the powers conferred upon it by subparagraph (1) of paragraph 3 of Article 5 of the Constitution of the Authority, the Council hereby makes the following regulations:

PART A

ARTICLE 1

Authority and application

Definitions

In these regulations:

- "Authority" means the Cairo Gaborone Trans-East African Authority established by Article __ of this Constitution of the Authority.

- "Council" means the Governing Council of the Authority established by Article __ of the Constitution of the Authority;

- "Head of Department" shall mean the administrative head of a Department or Division.

PART B

ARTICLE 2

The financial year

The financial year of the Authority shall be 1 January to 31 December of each Calendar year.

PART C

ARTICLE 3

The Programme Budget

1. The proposed programme budget for each financial period shall be prepared by the Director of Administration in such form as the Authority may prescribe.

2. The proposed programme budget shall cover income and expenditure for the financial year to which they relate and shall be presented in United States dollars. It shall be divided into sections, programmes and sub-programmes which shall be accompanied by such information, annexes and explanatory statements as may be requested by the Council.

3. The proposed programme budget both for income and expenditure shall be prepared on a gross basis.

   (a) Heads of departments shall submit programme budget proposals for the following financial year to the Director of Administration in such detail as he may require.

   (b) The estimates of the Authority's share of the contribution for staff superannuation shall be prepared by the Director of Administration and indicated in the budget proposal.

4. Preparation of budget estimates shall include.

   (a) provision for salaries and related allowances indicating the man-months;

(b) provision for anticipated official travel within the area, as well as regional and other international travel on official business. Complete information giving the title of the traveller, the anticipated number of trips, itineraries, purposes of trip, estimated length of travel period, estimated cost of travel shall be provided;

(c) provision for office furniture and equipment which include provision for the purchase of non-expendable items such as typewriters, business machines, duplicating machines and office furniture;

(d) provision for contractual and other services which include provision for rental charges utilities, telephone service, telex, cables, pouches, stamps, maintenance of office equipment, etc.

5. On the basis of the budget proposals from the Departments the Director for Administration shall compile and prepare a draft budget estimate and submit it to the Director-General for presentation to the Council.

6. The proposed programme budget shall be accompanied by:

(a) A detailed statement of the estimated expenditures provided for under each section, programme and sub-programme. For purposes of comparison, the appropriations for the current financial year shall be indicated alongside the estimates for the ensuing financial year;

(b) A statement of the estimated miscellaneous or other income under appropriate headings;

(c) An explanatory statement with regard to the expenditures proposed in connexion with any new programme or sub-programme or any extension of an existing programme.

7. The Director-General shall in the current financial year submit the proposed programme budget for the ensuing financial year to the meeting of the Council. This proposed programme budget shall be transmitted to all members of the Council at least four weeks prior to their meeting. The Council shall, in the current financial year adopt the programme for the ensuing financial year.

8. The Director of Administration shall arrange the publication of the programme budget as finally approved by the Council showing the appropriations by sections, programmes and sub-programmes as appropriate. The Director General shall distribute this publication to the member States, heads of departments and other agencies and donors concerned.

9. The Financial Regulations relating to the administration and operations of the budget appropriations shall be deemed to govern commitment authorized and credits made available under the Council resolution.

10. Supplementary programme budget proposals for the current financial year shall be prepared as follows:

(a) Supplementary programme budget proposals shall be submitted by the Director-General whenever necessary.

(b) Heads of departments shall furnish the Director-General with such detailed justification in respect of the supplementary programme budget proposal as he may require.

(c) The Director for Administration shall prepare supplementary programme budget proposals in a form consistent with the approved programme budget and shall submit such proposals to the Director-General for submission to the Council.

(d) Supplementary programme budget proposals in respect of the current financial year shall be submitted to the Council with detailed justification for approval.

PART D

ARTICLE 4

Appropriation

1. The appropriation approved by the Council shall constitute an authorization to the Director-General to incur obligations and make payments for the purposes for which the appropriations were approved and up to the amounts so approved.

2. The Council shall approve appropriations for the following financial period between July and September of the current financial year.

3. Appropriations shall be available for obligations during the financial year to which they relate.

4. The unspent balance of the appropriation shall lapse at the end of the financial year.

5. Funds for any unliquidated obligations of the current financial year shall be revoted in the budget of the ensuing financial year and utilized to meet the obligations.

6. An outstanding legal obligation shall be one based on a contract, purchase order, agreement or other form of undertaking by the Authority or based on a liability recognized by the Authority which obligations is supported by an appropriate obligating document.

7. No transfer between appropriation sections shall be made without authorization by the Council.

PART F

ARTICLE 5

Provision of Funds

1. The financial resources of the Authority shall consist of annual and special contributions from the member States of the Authority assistance, aid, loans, gifts, bequests or grants from Governments, international organizations, financial institutions, public or private institutions, associations, bodies or individual persons and fees and other charges levied by the Authority for services rendered, as provided under Article 12 of the Constitution of the Authority.

2. The Director-General shall, with the approval of the Chairman of the Council receive these funds directly as provided under Article 12 of the Constitution of the Authority.

3. A revolving fund shall be established to finance the appropriation pending receipt of contribution from member States and other sources.

4. In cases when the revolving fund is exhausted and still sufficient fund is not received from the Member States on other sources to cover the recurrent expenditure, the Director-General shall immediately contact the Chairman of the Council with a view to finding solution to the situation.

5. The contribution of the member States shall be made in accordance with the scale of assessment approved by the Governing Council.

6. Within five weeks, after the Council has approved the programme budget, the Director of Administration shall:

(a) transmit the relevant documents to the Member States;

(b) inform the Member States of their commitments in respect of the annual contributions

(c) request them to remit their contributions;

(d) inform the member States of the extent to which and the conditions under which their contributions may be paid in currencies other than United States dollars

(e) through the Director General report to the Council of the action taken.

7. Contributions shall be considered as due and payable in full the first month of the calendar year.

8. Follow-up actions, including visits to Member States, if necessary, shall be undertaken by the Director of Administration.

9. Annual contributions shall be assessed and paid in convertible currency into the account of the Authority.

10. The dollar equivalent of the contribution paid in currencies other than United States dollar shall be calculated at United Nations operational rate of exchange effective on the date of payment.

11. The Director-General shall submit at each meeting of the Council a report on the collection of contributions.

12. New members shall be required to make a contribution for the year in which they become members at rates that shall be determined by the Council.

PART F

ARTICLE 6

Funds

1. There shall be established a Reserve Fund to finance the Revolving Fund and for other purposes as the Council may determine. The sources of moneys of this fund shall be from the member States, grants, donations, interests derived from investments and other sources as the Council may determine.

2. Withdrawals from the Reserve Fund shall be made only for the purpose and within the terms and conditions prescribed by the Council.

3. Funds entrusted to the Authority in respect of a specific propose shall be administered for that specific purpose.

4. Moneys received from donors for specific purposes shall be treated as Trust Funds.

PART G

ARTICLE 7

Other income

1. All other income except

   (a) contribution to the programme budget;

   (b) direct refunds of expenditures made during the financial year; and

   (c) advances or deposits to funds

shall be classified as miscellaneous income.

2. Proceeds from the rental of the Authority's property or from loans to staff members or other services rendered shall be credited as miscellaneous income.

3. Refunds of expenditures which is charged in the same financial year against the budgetary accounts shall be credited against the same accounts, but refund of expenditures of prior financial years shall be credited to miscellaneous income.

4. Voluntary contributions, whether or not in cash, may be accepted by the Authority provided that the purposes for which the contributions are made are consistent with the policies, aims and activities of the Authority and provided that the acceptance of such contributions which directly or indirectly involve additional financial liability for the Authority shall require the consent of the Director-General who shall inform the Council.

5. Moneys received in respect of which no purpose is specified shall be treated as miscellaneous income and reported as "gifts" in the accounts of the financial period.

PART H

ARTICLE 8

Custody of Funds

1. Bank Accounts

(a) The Director-General on the authority of the Chairman of the Council shall designate the banks in which the funds of the Authority shall be kept;

(b) The Director-General with the approval of the Chairman of the Council shall designate signatories to operate the official bank accounts established for the transactions of the Authority business;

(c) The Chief of Finance shall not be designated to sign cheques;

(d) The Chief of Finance shall demand monthly bank statements for reconciliation exercises and shall assign an official who does not have actual part in the receipt or disbursement of funds, to make the bank reconciliation.

(e) Two signatories approved by the Chairman of the Council shall be required on all cheques and on all withdrawal instructions.

2. Receipt of Moneys

(a) An official receipt shall be issued for all moneys received;

(b) Only officials duly designated by the Director of Administration shall be authorized to receive moneys and to issue receipts for such moneys. In cases where officials other than those authorized to issue receipts receive moneys intended for the Authority they shall immediately transmit such moneys in full to the Cashier or other official authorized to issue an official receipt;

(c) Receipts shall be recorded in the accounts on the date the remittance is received;

(d) It shall be the responsibility of the Chief of Finance to ensure the reconciliation of moneys collected as recorded in the account books and the receipts at the end of each day.

3. Deposits of receipts

(a) All moneys received shall be deposited intact in an official bank account not later than the business day following the date of receipt.

(b) All moneys not deposited in an official bank account must be kept in an official safe installed at the Authority.

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4. Petty Cash Fund

(a) Petty cash fund shall be established for payment of minor expenses such as messenger services, mail delivery charges and other miscellaneous expendable office supplies. The accounts shall normally be maintained on an imprest system

(b) A cheque for petty cash advance shall be written in the local currency for a round sum sufficient to cover the anticipated local petty cash expenditures for one month;

(c) Individual petty cash expenditures shall not exceed the equivalent of **$US** 50.00. Payment of advances, salaries, overtime and allowances shall not be made from petty cash;

(d) Receipts of cash shall not be deposited in the petty cash fund. All receipts of cash should be deposited in the bank account.

(e) Unannounced audit shall be conducted in order to confirm that the prevailing instructions are adhered to;

(f) The petty cash shall be replenished on the basis of the expenditures made to bring the cash to the original amount;

(g) Any cash balance on hand in petty cash fund shall be deposited on the last day of the year in the official bank account of the Authority.

5. Exchange of currencies

Officials responsible for the operation of Authority's bank accounts, or for holding the Authority's cash or negotiable instruments, shall not exchange one currency for another except to the minimum extent essential for the transaction of official business.

6. Approval of obligations and payments

(a) Only those officials designated by the Director-General **as approving officer** shall approve obligations for recording the accounts. Any such obligations shall be **duly** certified by certifying officers designated for that purpose by the Director-General;

(b) Payments shall only be made on the basis of duly certified supporting vouchers and other documents which indicate that the goods or services have been received in accordance with the documents establishing the obligation. An approving officer, normally the Chief of Finance, shall also verify that payment has not previously been made and that the supporting documents do not have

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irregularities on their face which indicate that the payment is not properly due; nor shall an approving officer approve a payment if any other information known to him would bar the payment.

(c) Payments directly related to and not in excess of a recorded obligation which has previously been certified by a certifying officer designated shall not require a certification on the invoice.

7. Disbursements to be made by cheque

(a) All disbursements other than petty cash items shall be made by cheque or by means of bank transfer.

(b) Disbursements shall be recorded in the accounts as of the date when the disbursement is made, that is, when the cheque is issued or cash is paid out.

8. Receipts

Except where a paid cheque is returned by the bank and can thus serve as a receipt, the payee's receipt shall be obtained for all disbursements, unless special arrangements have been authorized by the Director of Administration.

PART I

ARTICLE 9

Investment of Funds

1. The Council shall indicate the type of investments it considers acceptable for the purpose of investing the idle balances in the Authority's accounts.

2. In the light of indications given by the Council the Director General may authorize investments of moneys not needed for immediate requirements of the Authority.

3. Income derived from investments shall be credited to Investment Income Account.

4. All securities shall be deposited either in the custody of duly appointed bankers or in safe deposit vaults maintained by a recognized financial institution approved by the Director-General or in the Authority's safe under the direct control of the Director for Administration.

5. Investment shall be registered in an investment ledger to be kept by the Chief of Finance which shall show relevant details for each investment, including the face value, cost, date of maturity, place of deposit, proceeds of sale and income earned.

PART J

ARTICLE 1

Internal Control

1. The Director General shall

   (a) ensure the application of these financial rules;

   (b) establish detailed financial rules and procedures in order to ensure effective financial administration and the exercise of economy;

   (c) cause all payments to be made on the basis of supporting vouchers and other documents which ensure that the services or goods have been received and that payments have not previously been made;

   (d) designate the officers who may receive money, incur obligations and make payments on behalf of the Authority;

   (e) maintain an internal financial control which shall provide for an effective current examination or review of financial transactions in order to ensure:

      (i) the regularity of the receipt, custody and disposal of all funds and other financial resources of the Authority;

      (ii) the conformity of obligations and expenditures with the appropriations or other financial provisions approved by the Board;

      (iii) the economic use of the resources of the Authority.

2. Final determination as to all surcharges to be made against staff members or others as a result of losses shall be approved by the Director-General.

3. Writing off losses of property

The Director-General may after full investigation in each case, authorize the writing-off of losses of the Authority's property where the value of the property does not exceed $ 100.00. Writing off of losses the value of which exceeds $ 100.00 shall require the approval of the Council.

4. Losses of cash or negotiable instruments

(a) any loss of cash or negotiable instruments shall be reported immediately to the Director-General who shall establish a Committee or assign an official to investigate the case;

(b) no amount in excess of $US 100.00 due to the Authority shall be waived without a resolution of the Council;

(c) the Director-General may, after full investigation by a Committee, authorize the writing-off of losses of cash and the book value of accounts receivable and notes receivable deemed to be irrecoveable, except that the writing-off of amounts in excess of $US 100.00 shall require the approval of the Council;

(d) the investigation shall, in each case, fix the responsibility, if any, attaching to any official of the Authority for the loss. Such official shall be required to reimburse the loss either partially or in full.

5. No obligation shall be incurred until allotments or other appropriate authorization have been made in writing under the authority of the Director-General.

6. Review of obligations and expenditures

(a) The Director for Administration shall be responsible for the submission to the Director-General of the appropriate documents in support of proposed obligations and expenditures with such explanations and justifications as he may require;

(b) No transfers between allotments shall be made except on the written authorization of the Director-General;

(c) The Director-General may, on adequate grounds, disallow any proposals for an obligation or expenditure.

7. Reservation of credits to meet expenditures

(a) Apart from the employment of staff under an authorized staffing table, and consequential commitments under the Staff Rules, no contract, agreement or undertaking of any nature for an amount exceeding $US 100.00 shall be entered into until credits have been reserved in the accounts, through the recording of an obligation, to meet any expenditures which may occur in the financial year;

(b) At the time of payment, where currency fluctuation has resulted in a change in the United States dollars equivalent from the original amount obligated, the Director-General shall authorize the difference to be charged or credited to the appropriate account. In such cases, an amendment to the original obligation document shall not be required.

8. Increase of obligations. All increase in obligations or proposals for incurring of expenditures shall be subject to the same rules as applied to the incurring of original obligations.

9. Reviews of outstanding obligation: Outstanding obligations retained against appropriations of the previous financial year shall be reviewed periodically by the Finance Officer. Outstanding obligations reflected in the accounts which, in the opinion of the Chief of Finance and the relevant Head of Department are no longer valid obligations, shall be reported to the Director for Administration before it may be cancelled and the resulting credit surrendered. If the obligation is determined to be valid, it shall be reobligated against the appropriation of the current financial year.

10. Requisitions - delegation of authority: Central supplies, equipment and other property shall be issued and central services provided only against requisitions or orders signed by the heads of the appropriate departments.

11. Employment of staff or consultants: Staff or consultants shall be engaged only with the written authority of the Director-General and within the allotments or other limits approved by the Council. The terms of employment of staff or consultants shall conform to the terms of the conditions of service and the provisions of these Rules.

12. Contracts and Purchases: Contracts for the purchase, rental or sale of services, supplies, equipment or other requirements shall be entered into on behalf of the Authority only by officials duly authorized by the Director-General for the purpose. Purchasing, renting or selling activities include, in addition to entering into contracts, the invitation of proposals as tenders and the negotiation with potential suppliers or purchasers on the basis of detailed specifications.

13. Written contracts or written purchase orders for goods and services shall be established as appropriate for every purchase. Written contracts and purchase orders shall specify in detail:

(a) In the case of supplies or equipment, the exact description of the goods, the quantity required, the price of each article, the conditions of delivery and the terms of payments.

(b) In the case of services other than staff services, the nature of the services, period covered, conditions of fulfilment, amount and terms of payment.

14. Committee on Contracts

(a) There shall be established a Committee on contracts at the Authority to render written advice to the Director-General on:

(i) all contracts to be entered into which involve commitments to a single contractor in respect of a single requisition or a series of related requisitions totalling $US 2,000.00 or more

(ii) all contracts or series of related contracts, like technical, consultancy services, etc. which involve income to the Authority of $US 2,000.00 or more;

(iii) proposals for modification or renewal of contracts previously reviewed by the Committee;

(iv) such other matters as may be referred to the Committee by the Director-General

(v) all contracts to be entered into which involve commitments or more than $US 20,000.00 shall be made by inviting public tenders after consideration and approval of the recommendations of the Committee on Contracts by the Council.

(b) The composition of the Committee and its terms of reference shall be determined by the Director-General.

15. Committee of procurement

(a) All contracts for purchases of workshop machineries which involve more than $US 100,000.00 shall be dealt with by Committee on Procurement.

(b) The Committee shall meet as and when necessary and submit its recommendation to the Council;

(c) The Director-General shall call for bids after the approval by the Council for all contracts and purchases that involve commitment of more than $ US 200,000.00.

16. Calling for bids and proposals

(a) Contracts for the purchase or rental of services, supplies, equipment and other requirements shall be let after competitive bidding or calling for proposals. Tenders shall be invited by advertisement through publication or distribution of formal invitation to bid.

(b) All bids shall be publicly opened at the time and place specified in the invitation to bid and an immediate record shall be made thereof.

(c) Contracts shall be awarded to the lowest acceptable bidder, provided that where the interests of the Authority so require, all bids may be rejected.

17. Property Records

(a) Complete and accurate records shall be maintained of supplies, equipment and other property purchases, received, issued, sold or otherwise disposed of and remaining on hand;

(b) The Director for Administration shall, as appropriate, arrange to designate the officials responsible for the maintenance of property records and the officials accountable for the property.

18. Physical Inventories: Physical inventories shall be taken of supplies, equipment or other property of the Authority, or entrusted to the charge of the Authority annually at such intervals as deemed necessary to ensure adequate control over such property. The responsibility for ensuring conduct of such physical inventories and selection of items to be inventoried will be that of the Director for Administration.

19. Receipt of supplies and equipment: All supplies, equipment or other property received by the Authority shall immediately be inspected to ensure that their condition is satisfactory and in accordance with the terms of the related purchase contract. A receiving report shall be issued for all items received and they shall immediately be entered into the appropriate property records.

20. Issue of supplies and equipment: Supplies, equipment and other property shall be issued to officials authorized to indent for them. Procedures for the preparation and disposal of such indents, as well as scales for the issue of supplies, equipment and other property, shall be prescribed by the Director for Administration.

21. Property Survey Committee

(a) The Committee on Contracts shall also act as Property Survey Committee with the mandate and terms of reference spelt out by the Director-General;

(b) Shortage and overage of and damages to supplies, equipment or other property which come to light at the Authority as a result of stock-taking, inventory check or other means shall be notified immediately by the responsible official to the Director-General through the Property Survey Committee;

(c) Property which becomes surplus to operating requirements or unserviceable through obsolenscence or normal wear and tear shall be reported by the responsible official to the Secretary of the Property Survey Committee;

(d) The Committee shall investigate and report upon:

(i) the cause of any shortage and overage of and damages to supplies, equipment or other property and the action to be taken thereon;

(ii) the disposal of supplies, equipment or other property which has become surplus to operating requirements of the Authority or unserviceable through obsolescence or normal wear and tear;

(e) The recommendation of the Property Survey Committee shall, in each instance, indicate the degree of responsibility, if any, attaching to any official of the Authority for shortages, overages or damages;

(f) The recommendation of the Committee shall be submitted to the Director-General for his approval. Where he does not agree with any recommendation of the Committee, he shall record his views in writing and may request the Committee to reconsider its recommendations.

22. Sale of Property

(a) Sales of supplies, equipment or other property declared surplus or unserviceable following a recommendation by the Property Survey Committee shall be made after competitive bidding, provided that resort to competitive bidding is not necessary when:

(i) the estimated sale value is, in the opinion of the Committee, less than $US 100.00;

(ii) the best interest of the Authority will be served by sale at fixed unit prices approved by the Committee;

(iii) the exchange of property in partial or full payment for replacement of equipment or supplies will, in the opinion of the Committee, be in the interest of the Authority;

(iv) the destruction of the surplus or unserviceable material will be more economical or is required by law or by the nature of the property;

(v) the interests of the Authority will be served by disposal by gift or at normal prices to an intergovernmental organization, a government or government agency or some other non-profit organization.

23. Sale on cash basis

(a) Sales of the Authority's property shall be on the basis of cash payment on or before delivery;

(b) Exceptions to this rule may be authorized in writing by the Director-General when, in his opinion, this is in the interest of the Authority. A record of such exceptions shall be maintained.

24. Accounting for proceeds from sales

(a) The proceeds from the sale of property shall be credited as miscellaneous income to the regular budget.

(b) The trade-in of property is not considered to be a sale and the allowance shall be applied against the cost of the replacement of property.

25. Salaries and related allowances

(a) The salary scales for both professional and local Staff shall be fixed by the Council

(b) Salaries of international and local staff shall be recommended by on Interview Panel and approved by the Director-General in accordance with the salary scales approved by the Council.

(c) An approved percentage of the salary and allowances of professional personnel under these rules shall normally be paid in the currency of the country of the duty station and the remainder in one other currency.

(d) Staff or consultants shall only be engaged and payrolled with the written authority of the Director-General or his designate against the allotments approved by the Council.

(e) The conditions of appointments, obligations and entitlements of staff shall be spelt out in the Staff Rules of the Authority.

PART K

ARTICLE 11

Accounts

1. The Director-General assisted by the Director for Administration shall submit accounts for each financial period to the Council.

2. The accounts for the financial year shall show:

   (a) the income and expenditure of all funds;

   (b) the status of appropriations including:

      (i) the original budget appropriations;

      (ii) the appropriations as modified by any transfers;

      (iii) credits, if any, other than the appropriations voted by the Council;

      (iv) the amounts charged against appropriations and other credits, if any;

   (c) the assets and liabilities of the Authority; and

   (d) it shall also give such other information as may be appropriate to indicate the current financial position of the Authority.

3. The accounts of the Authority shall be presented in United States dollars.

4. The principal accounts shall consist of:

   (a) programme budget accounts showing:

      (i) original appropriation;

      (ii) appropriations after modification by any transfers between budget lines or sections;

      (iii) credits, if any, other than appropriations made available by the Council;

      (iv) allotments made;

      (v) obligations outstanding;

      (vi) expenditures (including disbursements and unliquidated obligations);

      (vii) unencumbered balances of allotments and appropriations.

   (b) general ledger accounts showing the General Fund; all cash at banks, investments, receiveables, and other assets, payables and other liabilities;

   (c) separate accounts for the Revolving Fund, trust funds, or special accounts which may be established; and

(d) any other records that can provide information for preparation of statements of assets and liabilities at the end of each year of the financial years.

5. Preparation of Financial Statements

(a) The financial statements for each financial year shall be prepared by the Director of Administration and submitted to the auditors through the Director General.

(b) The statement referred to in shall include:

(i) statement of budget appropriation, allotments issued, obligations incurred and unobligated balances of allotments and appropriations;

(ii) summary statement of appropriations, income, obligations incurred and surplus account;

(iii) statement of assets, liabilities and balance of all the funds received;

(iv) statement of Revolving Fund;

(v) statement of assets, liabilities and balance of trust fund and special accounts;

(vi) summary of the accounts;

(vii) status of members' contributions and investments, if any;

(viii) such other statements as may be required.

(c) Financial statements shall be prepared at such time as required;

(d) Copies of all such financial statements shall be transmitted to the U United Nations Economic Commission for Africa.

6. Currency of Accounts

(a) The accounts of the Authority shall be maintained in United States dollars. However, since most of the transaction is dealt in local currency the advances receiveable locally can be recorded both in KSH and the equivalent in United States dollars, converted at the rate of exchange established by the United Nations.

(b) When the United States dollar is converted into local currency or vice versa, the actual amounts obtained shall be taken into account; any diffirence between the amount and the amount which would have been obtained at the official rate of exchange under (a) above shall be accounted for as a loss or gain in exchange. The loss or gain in exchange shall be debited or credited to miscellaneous income account.

7. Budgetary Charges

(a) A budget (allotment) account shall be charged with actual disbursement and obligations entered into against contracts for supplies or services. Obligations shall be liquidated and converted to actual disbursements on fulfilment of the contract for supplies and services.

(b) At the end of each financial year, any uncommited balance of appropriations shall be shown in the accounts.

(c) At the end of each financial year the unliquidated obligations, as well as those required to be reviewed periodically shall be reviewed.

8. Rentention and Destruction of Records

The accounting and other financial and property records and all supporting documents shall be retained for such periods as may be required, after which, on the authority of the Council such records and documents may be destroyed.

9. Auditing

The Executive Secretary of the United Nations Economic Commission for Africa shall be required to arrange for the Internal audit of the Authority's books of account, to review and make comments and recommendations on activities and transactions having financial implications as to:

(a) the regularity of the receipt, custody, disposal, accounting and reposting of all funds and other financial recourses of the Authority;

(b) the conformity of obligations and expenditures with the appropriations or other financial provisions approved by the Council;

(c) the economic use of the resources of the Authority;

(d) the conformity of all such activities and transactions with the rules relating thereto and purposes.

PART L

ARTICLE 12

External Auditors

1. In addition to the internal auditors the Council may request the Auditor-General of the host country or other competent external auditor to perform the audit of the accounts of the Authority:

2. The audit shall be conducted in conformity with generally accepted common auditing standards and, subject to any special directions of the Council in accordance with the additional terms of reference set out in the Appendix to these Regulations.

3. The Auditors shall make observations with respect to the efficiency of the financial procedures, the accounting system, the internal financial controls and in general, the financial administration and management of the Authority;

4. The auditors shall be completely independent and solely responsible for the conduct of the audit.

5. The Council may request the Auditors to perform certain specific examinations and issue separate reports on the results to it.

6. The Director-General shall provide the auditors with the facilities they may require in carrying out the audit.

PART M

ARTICLE 13

Decision

The Director-General shall not, without the authority of the Council, take a decision involving either an administrative change in programmes approved by the Council or make changes in the approved expenditure for the programmes.

PART N

ARTICLE 14

General Provisions

1. Every official of the Authority is responsible to the Director-General for the regularity of the actions taken by him in the course of his official duties.

Any official who takes any action contrary to these Financial Regulations (or to the administrative instructions issued in connextion therewith may be held personally responsible and financially liable for the consequences of his action.

2. These Regulations shall become effective as approved or decided by the Council and remain in force until amended or abrogated by the Council.

Annexure 1

ADDITIONAL TERMS OF REFERENCE GOVERNING THE AUDIT OF THE AUTHORITY

1. The Auditors shall perform jointly and severally such audit of the accounts of the Authority including all trust funds and special accounts, as they deem necessary in order to satisfy themselves:

(a) that the financial statements are in accord with the books and records of the Authority;

(b) that the financial transactions reflected in the statements have been in accordance with the regulations, the budgetary provisions and other applicable directives;

(c) that the securities and moneys on deposit and on hand have been verified by certificate received direct from the Authority's depositaries or by actual count;

(d) that the internal controls, including the internal audit, are adequate in the light of the extent of reliance placed thereupon;

(e) that procedures satisfactory to the auditors have been applied to the recording of all assets, liabilities, surpluses and deficits.

2. The auditors shall be the sole judge as to the acceptance in whole or in part of certification and representation by the Authority and may proceed to such detailed examination and verification as they choose of all financial records, including those relating to supplies and equipment.

3. The auditors and their staff shall have free access at all convenient times to all books, records and other documentation which in the opinion of the auditors are necessary for the performance of the audit. Information which is classified as privileged and which is required by the auditors for the purposes of the audit and information classified as confidential shall be made available on application. The auditors and their staff shall respect the priviledged and confidential nature of any information so classified which has been made available and shall not make use of it except in direct connexion with the performance of the audit. The auditors may draw the attention of the Council to any denial of information classified as privileged which, in their opinion, is required for the purpose of the audit.

4. The auditors shall have no power to disallow items in the accounts but shall draw to the attention of the Director General for appropriate action any transaction concerning which they entertain doubt as to legality or property. Audit objections to these or any other transactions arising during the examination of the accounts shall be communicated to the Council.

5. The auditors (or such of their members as they may designate) shall express and sign an opinion in the following terms:

> "We have examined the following appended financial statements, number ______ to ______, properly identified, and relevant schedules of ______________ for the financial year ended __________ 19 . Our examination included a general review of the accounting procedures and such tests of the accounting records and other supporting evidence as we consider necessary in the circumstances. As a result of our examination, subject to the observations in our foregoing report we are of the opinion that the financial statements properly reflect the recorded financial transactions for the financial year, which transactions were in accordance with the Financial Regulations and legislative authority, and present fairly the financial position as at 19 ."

6. The report of the auditors on the financial statements shall mention:

(a) the type and scope of its examination;

(b) matters affecting the completeness or accuracy of the accounts, including where appropriate:

(i) information necessary to the correct interpretation of the accounts;

(ii) any amounts which ought to have been received but which have not been brought to account;

(iii) any amounts for which a legal or contingent obligation exists and which have not been recorded or reflected in the financial statements;

(iv) expenditures not properly substantiated;

(v) whether proper books of accounts have been kept wherein the presentation of statements there are deviations of a material nature from the general accepted accounting principles applied on a consistent basis, these should be disclosed;

(c) Other matters which should be brought to the notice of the Council such as:

(i) cases of fraud or presumptive fraud;

(ii) wasteful or improper expenditure of the Authority's money or other assets (notwithstanding that the accounting for the transaction may be correct);

(iii) expenditure likely to commit the Authority to unnecessary further outlay on a large scale;

(iv) any defect in the general system or detailed regulations governing the control of receipts and disbursements or of supplies and equipment;

(v) expenditure not in accordance with the intention of the Council after making allowance for duly authorized transfers within the budget;

(vi) expenditure in excess of appropriations as amended by duly authorized transfers within the budget; and

(vii) expenditure not in conformity with the authority which governs it;

(d) the accuracy or otherwise of the supplies and equipment records as determined by stock-taking and examination of the records;

(e) if appropriate, transactions accounted for in a previous year concerning which further information has been obtained or transactions in a later year concerning which it seems desirable that the Council should have early knowledge.

7. The Auditors may make such observations with respect to its findings resulting from the audit and such comments on the Authority's financial report as they deem appropriate to the Council.

8. Whenever the scope of audit of the auditors is restricted, or whenever the auditors are unable to obtain sufficient evidence, they shall refer to the matter in their report, making clear the reasons for their comments and the effect on the financial position and the financial transactions as recorded.

9. In no case shall the auditors include criticism in their report without first affording the Director for Administration and the Director General an adequate opportunity of explanation on the matter under observation.

Annexure II

MEDICAL EXPENSE ASSISTANCE PLAN FOR LOCALLY-RECRUITED STAFF

A - General

A Medical Assistance Plan shall be established to provide assistance in covering reasonable expenses incurred for the treatment of illness or injury and for maternity and dental care for locally recruited staff.

B - Applicability

1. The plan shall apply to locally recruited staff who are appointed for three months or more or whose initial appointment for a lesser period are extended so that their total period of service is three months or more.

2. Coverage under this plan shall cease from the date when the staff member is separated from service with the Authority.

3. Coverage under the plan shall extend to the staff member, spouse and any unmarried child until the end of the year in which the child reaches his/her twenty-fifth birthday, provided that the child is not in full-time employment, except where the spouse or unmarried child is eligible for coverage under their Government's medical benefit scheme.

C - Amount of expenses which may be reimbursed

1. Subject to the limitation and conditions laid down in this plan the Authority shall reimburse:

(a) one hundred per cent of the expenses of hospital service, including bed and board, general nursing care, drugs and medicines administered in hospital and all hospital facilities and procedures, except that where hospital accommodation is provided at rates for private room with only one bed, 70 per cent of the cost of bed and board and general nursing care at the private rate or 100 per cent of the rate for semi-private accommodation, whichever is the greater, may be reimbursed.;

(b) Seventy per cent of the expenses of dental, obsterical private nursing, surgical and other medical services by a qualified practitioner whether rendered in hospital or outside;

(c) Seventy per cent of the expenses of medications prescribed by a qualified practitioner outside a hospital.

2. The maximum amount of assistance payable under the plan for each person covered in the calendar year in which the expenses are incurred shall be the equivalent of $US 1,500.00.

D - Limitations and other special conditions

1. No assistance shall be granted under the plan in respect of:

   (a) hearing aids, corrective lenses, fees for examination of the eyes for lenses, cost of spa cures or non-prescription items;

   (b) rejuvenation cures or cosmetic treatment;

   (c) services normally provided or expenses actually reimbursed by government departments or otherwise;

   (d) periodic preventive health examinations.

2. Reimbursement of expenses under the plan wherever incurred shall be limited to the cost of the services or medications in the country of the duty station. Reimbursement or any additional expenses resulting from the services having been performed outside the country of the duty station may be granted where:

   (a) the prior approval of the Director-General has been obtained, or

   (b) in the opinion of the Director-General care was needed for an emergency.

E - Procedures for claiming reimbursements

1. Staff members shall file their claims under the plan as soon as possible after treatment or care has been provided. Claims which are not presented within 6 months may be denied. Staff members are responsible for obtaining bills detailing the name of the patient, the nature, dates and costs of the services rendered, and for presenting them with their claims.

2. If a claim under the Plan is not accompanied by receipts but is settled by an advance made by the Authority on the basis of the bills only, it will be the responsibility of the staff member to submit receipts within one month of receipt of the advance. If the amount paid by the staff member is less than the amount paid by the Authority the staff member shall reimburse the Authority.

F - Administration

1. The Authority shall reimburse staff members under the plan on the basis of properly completed claim forms accompanied by appropriate receipts and bills. When receipts are not immediately available an advance may be made to the staff member against the bills.

2. Claims below the equivalent of $US 10.00 shall not be settled or reimbursed.

3. When the administration considers that a charge with respect to which a claim is made is unreasonable the Administration shall make an investigation and if it continues to consider the charges unreasonable it may deny the claim.

4. All reimbursements made under the plan shall be debited to the appropriate account of the Authority.

Claim Form

Cairo-Gaborone Trans-East African Highway Authority

Bangui

PART A

(To be completed in triplicate by the claimant)

1. Name of staff member ________________________________

2. Name of patient ________________________________

Relationship to staff member ________________________________

If child, date of birth ________________________________

3. Amount of expenses ________________________________

(The staff member shall attach bills showing the patient's name, the nature and dates of services rendered. He shall include prescriptions where cost of medication is claimed).

4. Has the bill(s) been paid? /___/ yes /___/ No

In the case where the bill has not been paid, I agree to submit to the Authority's receipt or receipts for payment as required by the provisions of the Medical Expenses Assistance Plan and also to advise the Administration immediately of any reduction in the bill originally rendered.

________________________ ________________________

Date Signature of Staff Member

Cairo-Gaborone Trans-East African Highway Authority

Bangui

PART B

(To be completed by the qualified medical practitioner who rendered services)

The sole purpose of this form is to assist the claimant to claim a porition of medical or dental costs under Authority's Medical Expenses Assistance Plan. All bills should show name of patient, dates of services and charges and should be rendered directly to the patient.

The Authority assumes no responsibility for payment to the medical practitioner.

Please check all applicable boxes

1. Date(s) of services ______________________________

2. Nature of medical service rendered

   ☐ Obstetrical
   ☐ Surgical Procedure
   ☐ Lab. tests and/or X-rays
   ☐ Injections or other treatment
   ☐ Consultations

3. Place of treatment

   ☐ Office visit
   ☐ House Call
   ☐ Inpatient-Hospital
   ☐ Outpatient-Hospital

4. Was treatment cosmetic ? ☐ Yes ☐ No

5. Nature of dental treatment rendered

   ☐ Dental appliances (false teeth, croruns, bridges, etc.)
   ☐ Other dental care

____
Date

____
Name of medical practitioner
(please print or type)

Cairo-Gaborone Trans-East African Highway Authority

Bangui

PART C

(To be completed by Personnel Section)

1. I have reviewed the required documents as submitted and, in accordance with the provisions of the Medical Expense Assistance Plan, I approve medical expense assistance calculated as follows:

Hospital services (see C(1) (a) of the Plan)

Bed, board and general nursing care

☐ 100 % or ☐ 70 % of __________ = __________

Other hospital services including medication administered in hospital 100 % __________ = __________

Medical, dental and other services (see C(1) (b) of the Plan 70 % of __________ = __________

Medication administered outside hospital (see article C(1) (c) of the Plan

70 % of __________ = __________

Total approved = __________

Equivalent of US $ __________ = __________

2. Comments if any ____

____

____

____

__________________ Date

__________________ Signature of Chief Administration

Annexure III

GENERAL LEDGER ACCOUNTS

Assets

00	CIB	CASH IN BANK
00-10		CHEMICAL BANK ACCOUNT
00-20		UBA (CONVERTIBLE ACCOUNT)
00-30		UBA (NON-CONVERTIBLE ACCOUNT)
11	CTL	TRANSFER OF FUNDS AND PETTY CASH
11-0010		PETTY CASH
11-0020		TRANSFER OF FUNDS FROM ONE BANK TO ANOTHER BANK ACCOUNT OF THE AUTHORITY
22	IOV	[illegible] CLEARING ACCOUNT (ONLY IF APPLICABLE)
22-1000		REMITTANCE ACCOUNT
22-2000		IOV ACCOUNT (GENERAL)
22-3000		TRAIN - IOV ACCOUNT
22-4000		JOINT STAFF PENSION FUND
22-5000		LIFE INSURANCE
22-6000		MEDICAL INSURANCE
33	ARL	ACCOUNTS RECEIVABLE - SPONSORS AND NON-GOVERNMENTAL ORGANIZATIONS
33-3010		MR. X
44		ACCOUNTS RECEIVABLE LOCALLY (ARL) STAFF MEMBERS OF THE AUTHORITY
44-4001		MR. Y
55		ACCOUNTS RECEIVABLE (ARL) TRAINEES
55-5001		MR. Z
66		ACCOUNTS RECEIVABLE - OTHERS
66-6001		BUILDING CONTRACTOR
66-6002		ARCHITECT

70 - CURRENT LIABILITIES
70-7000 - UNLIQUIDATED OBLIGATIONS
71-7100 - GOVERNMENT REGULAR CONTRIBUTION
72-7200 - GOVERNMENT CONTRIBUTION FOR PURCHASE OF MACHINERY
73-7300 - GRANT - AFRICAN GOVERNMENT(S)
74-7400 - UNDP CONTRIBUTION
75-7500 - OTHER GRANTS AND TRUST FUNDS
80 - WITHHELD IN TRUST
88-8000 - SALARY ASSIGNMENT
88-8010 - MEDICAL INSURANCE
88-8020 LIFE INSURANCE
88-8030 - PENSION FUND
88-8040 - CREDIT UNION
88-8050 - STAFF ASSOCIATION

Annexure IV

ALLOTMENT ACCOUNT
FOR REGULAR PROGRAMME BUDGET

TEAHA-XX-

TEAHA-XX-1101	Director-General
TEAHA-XX-1102	Deputy Director-General
TEAHA-XX-1103	Director - Technical Services
TEAHA-XX-1104	Director Administrator
TEAHA-XX-1105	Division of Finance and Personnel
TEAHA-XX-1106	Chief Engineer
TEAHA-XX-1107	Chief of Operations
TEAHA-XX-1108	Legal Adviser
TEAHA-XX-1109	Controller
TEAHA-XX-1110	External Auditor
TEAHA-XX-1111	Administrative Assistant
TEAHA-XX-1201	Consultant
TEAHA-XX-1202	Visiting Consultants on Collaboration (on know-how)
TEAHA-XX-1300	Administrative support personnel
TEAHA-XX-1500	Travel to Meetings
TEAHA-XX-1600	Travel on Mission
TEAHA-XX-3000	Training, Workshop and Seminars
TEAHA-XX-3900	Group Meetings (for Trainees)
TEAHA-XX-4100	Expendable Equipment
TEAHA-XX-4200	Non-Expendable Equipment
TEAHA-XX-5100	Operation and Maintenance of Equipment
TEAHA-XX-5200	Sundry

Construction Account

TEAHA-XX-4301	Opening of Letter of Credit
TEAHA-XX-4302	Goods in Transit
TEAHA-XX-4303	Goods in Store
TEAHA-XX-4304	Goods Utilized
TEAHA-XX-4305	Construction in Progress

Note. Account Codes 4301 - 4304 are to be used for tax-free purchases from abroad. Other local purchases including labour should be charged directly to Construction in Progress.

XX = Source of Fund
TEAHA = Trans-East African Highway Authority

ST/ECA/TRANS/1
Annex IX

DRAFT STAFF RULES
OF
CAIRO-GABORONE TRANS-EAST AFRICAN HIGHWAY AUTHORITY

IN EXERCISE of the powers conferred by the provisions of sub-paragraphs (h) and (l) of paragraph 3 of Article 5 of the Constitution of the Cairo-Gaborone Trans-East African Highway Authority the Authority hereby promulgates the following rules:

PART A

ARTICLE 1

Definitions

In these rules:

"Authority" means the Cairo-Gaborone Trans-East African Highway Authority;

"dependent child" means an unmarried child of staff member under the age of 18 years or, if the child is in full-time attendance at an approved educational institution is under the age of 21 years. If the child is totally or permanently disabled, the requirements as to age and attendance at an educational institution shall be waived;

"dependent spouse" means a spouse whose occupational earnings do not exceed the lowest entry level of the Authority salary rules;

"Directorate" means the Directorate of the Authority;

"Director-General" means the Director-General of the Authority or any official designated by him to act on his behalf;

"he" wherever used shall embrace "her" or "she";

"headquarters" means the land, buildings, premises and construction which at a given time are, in fact, occupied or utilised by the Authority;

"internationally recruited staff" means those staff members of the Authority whose posts are advertised in all the Trans-East African Highway member and associate member States, and whose appointment is effected consequent upon advertisement;

"locally recruited staff" means those staff members of the Authority whose posts are advertised only in Kenya.

PART B

ARTICLE 2

Appointments

1. General

Staff categories: The following staff categories shall be employed by the Authority:

(a) Local staff; and

(b) International staff.

2. Procedures

(a) Every appointment shall be made in writing indicating expressly or by reference to Staff Rules and Regulations, the terms and conditions of employment.

(b) The appointment of a staff member internationally recruited shall take effect from the date on which he enters into official travel status to assume duty or, if no official travel is involved, from the date on which he enters upon his duties.

(c) Vacancies

All vacancies, except those reserved for internal promotion by the Director-General, shall be advertised. The advertisement shall state, *inter alia*, the required qualifications, job descriptions, conditions of service and remunerations.

(d) Recruitment

(i) At the close of applications and references, which shall be given a deadline, qualified candidates in terms of the advertisement shall be shortlisted and invited for an interview.

(ii) The appointment of the Director-General shall be in accordance with the provisions of the Constitution of the Authority.

(iii) The appointment of Directors and Chiefs of Division shall be made by the Council on the recommendation of a Selection Panel established by it. The Director-General shall make recommendations to the Council on the composition of the Selection Panel.

(iv) Interviews for appointment to posts in the international staff who do not fall within the provisions of item (iii) of this paragraph, except those of Director-General and Heads of Division shall be conducted by a selection panel of a minimum of three members where the Director-General deems it necessary. The Panel shall be appointed by the Director-General in consultation with the Head of Division concerned who shall be a member of the panel. The Director of Administration or his representative shall be ex-officio member. The Director-General shall be the Chairman of Panel.

(v) Interviews for appointment to posts in the local staff category shall be conducted by a Selection Panel established by the Director of Administration after clearance with the Director-General.

(vi) The recommendations of the selection panels referred to in (iv) above shall be put up to the Council for approval while those in respect of the local staff shall be presented to the Director-General.

3. (a) Offer of appointment

(i) On the completion of the procedure for appointment, the candidate selected except those for the post of Director-General shall be offered the post in writing by the Director-General acting on behalf of the Council. An offer of appointment shall contain such terms as level of remuneration, conditions of service, retirement benefits, fringe benefits offered and provision for termination of appointment.

(ii) All appointments shall be made subject to medical clearance by a physician designated by the Authority.

(b) Acceptance of offer

Acceptance of an offer of appointment shall be made in own writing by the appointee on a copy of the letter of appointment sent to the candidate. An offer not accepted within the time specified in the letter of offer shall be deemed to have been rejected, and the next qualified candidate may be considered for the post, or the post may be readvertised.

4. Initial appointment

(a) Until such time as the resources of the Authority are secured on a regular and continuous basis, all staff, professional as well as general service, shall be hired on contractual basis for a fixed period and be governed by these Staff Rules.

(b) A staff member appointed to an established post shall initially be given a two-year contract appointment subject to review approximately six months prior to the expiration of the contract period. If the performance of the staff member is judged satisfactory by the Director-General the appointment may be renewed for a further specified period depending on the availability of the post.

PART C

ARTICLE 3

Promotion

1. Ordinary promotion

(a) A staff member shall be required to serve the Authority satisfactorily for a period of three years before he may be considered for promotion.

(b) A performance appraisal of every staff member shall be carried out by his supervisor and reviewed by the Director-General once in a year. The appraisal shall be discussed privately by the supervisor with the staff member who shall sign the appraisal form in acknowledgement of such discussion. In case a staff member refuses to sign such form, a note of his refusal shall be made by his supervisor on the form and the form transmitted to the Director-General for his review.

2. Accelerated promotion

Notwithstanding Rule 1(a) of this part, a staff member may be considered for accelerated promotion in less than three years in recognition of outstanding record.

3. Promotion Panel

(a) A promotion panel to consider recommendations in respect of international staff from various departments to the posts of Directors and Division Chiefs shall be established by the Council.

(b) The Director-General shall establish Promotion Panel to advise him with respect to all other posts, and promotions may be effected by the Director-General depending on vacancies, the recommendations of the Promotion Panel and other conditions which he may consider important. The Director-General shall present a report on such promotions to the Council at the earliest opportunity.

(c) A staff member who believes he has not been fairly treated in a promotion exercise shall be at liberty to make representation in writing for a review through his Head of Division and the Director-General to the appropriate Promotion Panel.

4. Effective date of promotion

The effective date of promotion shall be the first of January of each year.

PART D

ARTICLE 4

Privileges and responsibilities

1. Staff members of the Authority shall be considered as international civil servants. Their responsibilities are not national but international. By accepting appointment, they pledge themselves to discharge their functions and to regulate their conduct with the interests of the Authority only in view.

2. Staff members are subject to the authority of the Director-General and to assignment by him to any of the activities or offices of the Authority. They are responsible to him in the exercise of their functions. The whole time of staff members shall be at the disposal of the Authority.

3. In the performance of their duties, staff members of the Authority shall neither seek nor accept instructions from any Government or from any other authority external to the Trans-East African Highway Authority. Staff members shall not undertake paid work or other continuous work with parties outside the Authority without prior express written permission by the Director-General. Staff members who act in breach of this rule shall face disciplinary action. In extreme cases international staff may, subject to the approval of the Council, be returned to their governments by the Director-General.

4. Staff members of the Authority shall conduct themselves at all times in a manner befitting their status as international civil servants. They shall not engage in any activity that is incompatible with the proper discharge of their duties with the Authority. They shall avoid any action and in particular any kind of public pronouncement which may

adversely reflect on their status, or on the integrity, independence and impartiality which are required by that status. While they are not expected to give up their national sentiments or their political and religious convictions, they shall at all times bear in mind the reserve and tact incumbent upon them by reason of their international status.

5. Staff members shall exercise the utmost discretion in regard to all matters of official business. They shall not communicate to any person any information known to them by reason of their official position which has not been made public, except in the course of their duties or by authorization of the Authority. Nor shall they at any time use such information to private advantage. These obligations do not cease upon separation from the Authority.

6. No staff member shall accept any honour, decoration, favour, gift or remuneration from any government excepting for war service; nor shall a staff member accept any honour, decoration, favour, gift or remuneration from any source external to the Authority, without first obtaining the approval of the Authority. Approval shall be granted only in exceptional cases and where such acceptance is not incompatible with the status of the individual as an international civil servant.

7. The immunities and privileges conferred on the Authority by virtue of Article 9 of the Constitution of the Authority and by Article 5 of the Headquarters Agreement with the Republic of Kenya are conferred in the interests of the Authority. These privileges and immunities furnish no excuse to the staff members who enjoy them for non-performance of their private obligations or failure to observe laws and police regulations. Where these privileges and immunities are contested by the competent authorities of Kenya or other member and associate member State, the staff member shall immediately report to the Director-General, with whom alone it rests to decide whether they shall be waived.

8. Staff members of the Authority shall upon appointment subscribe to the following oath or declaration:

> "I solemnly swear/undertake/affirm/promise to exercise in all loyalty, discretion and conscience the functions entrusted to me as an international civil servant of the Cairo-Gaborone Trans-East African Highway Authority, to discharge these functions and regulate my conduct with the interests of the Authority only in view, and not to seek or accept instructions in regard to the performance of my duties from any government or other authority external to the Cairo-Gaborone Trans-East African Highway Authority."

9. The oath or declaration shall be orally made by the staff members of the Authority before the Director-General or his authorized representative.

10. The oath or declaration referred to in paragraph 8 of this Article shall not prevent the close collaboration of the staff of the Authority with a Government of a member State or any other international agency which is interested in promoting the objectives of the Authority.

PART E

ARTICLE 5

Duties and obligations

Communication of unpublished information

No staff member of the Authority shall engage in the following activities without prior approval and clearance in writing by the Director-General:

(a) issue statements to the press, radio or other media of mass communication;

(b) accept speaking engagements;

(c) participate in film, radio or television production or interviews or make public pronouncements;

(d) disclose any information which he might have obtained from the Authority in the course of his normal duties.

Hours of work and official holidays

1. The staff members of the Authority shall put in at least forty (40) hours of work a week.
2. Staff members of the Authority shall report on duty at 6.30 o'clock in the morning and break off at 1 o'clock in the afternoon on each working day excepting on Saturday when they shall break off at 12 noon. Sunday shall be a day of rest for all staff members.
3. The Director-General may require senior staff members of the Authority to report to their offices in the afternoons to clear their desks.
4. Local staff members of the Authority shall be entitled to an allowance to be computed by the Chief of Finance in accordance with rules approved by the Council to compensate them for any overtime put in beyond the 40-hour working week.
5. All official holidays observed by Kenya shall be the official holidays of the Authority.
6. The international staff of the Authority who are nationals of any country which observe a National Day may take that day as an additional holiday, subject to the prior approval of the Director-General and upon the request of the interested party.

PART F

ARTICLE 6

Salaries - Classification standards

1. All posts in the Authority shall be classified by title and salary scale in accordance with the duties and responsibilities carried by the posts as established by the Council. The current classifications are contained in Appendix I to these Rules. These salary scales may be amended from time to time by the Council, but no amendment shall adversely affect any staff member already in the employment of the Authority.

2. The administration of the salary structure shall be the responsibility of the Director of Administration.

3. The Selection Panel shall consider properly on first appointment the appropriate salary due to every new staff member. Salary adjustment shall be considered by way of reclassification only in exceptional circumstances when, upon the request of the staff member it is the opinion of the Panel that he was undergraded in relation to his duties at the time of his appointment. Such reclassification shall take place within one year of appointment by the Director-General in the case of a local staff and in the case of international staff after approval by the Council.

4. Every staff member shall at the end of each month, receive a statement of salary paid and deductions made therefrom.

5. A salary increment shall normally be awarded to all staff members other than temporary employees on satisfactory performance report with effect from the first day of the anniversary of the appointment each year. The rate of increment shall normally be one step a year within the salary scale. In the event of unsatisfactory service, a staff member may be denied the annual salary increment.

6. On application to the Director of Administration arrangements shall be made for a professional staff member to remit portion of his monthly salary, in currency other than Kenya Shillings, up to the maximum permitted by the Authority to any bank he may name which may be in a country different from that in which he is serving.

7. A staff member returning from an approved leave of absence with pay of more than one month shall be eligible for a salary increase on his regular incremental date whereas one returning from leave with partial or without pay shall be eligible on his next incremental date.

8. Temporary employees shall be remunerated on an hourly, daily or weekly rate as the case may be. The said rate shall be calculated on the basis

of the salary scale/wage or the position for which they are recruited. The salary increment policy does not apply to employees in these categories.

9. A staff member shall be entitled to allowances and all other benefits attached to the post and functions occupied.

10. Staff members of all categories in the Authority shall be entitled to pension and to that end shall pay their share of contributions during their period of employment in conformity with these rules.

11. A staff member transferred or assigned to a new position shall retain his previous anniversary date for salary increment purposes.

12. Staff members of all categories on contract with the Authority shall be entitled to gratuities upon fulfilment of their contractual obligations and on termination of contract in conformity with the text in force at the Authority.

13. The Council shall approve the salary scales, allowances and benefits as well as terms and conditions under which they shall be granted to staff members of the Authority.

14. Director-General shall propose and submit through the Council the salary scales, allowances and benefits for all staff of the Authority as well as the terms and conditions under which they shall be granted.

15. In determining the salary scales and conditions of service of the staff locally recruited, consideration shall be given mainly to the best conditions of service offered by the host Government and in default thereof of all other factors of appraisal and in particular, the conditions of service of other international organizations shall be taken into account.

16. The Selection Panel shall from time to time, propose to the Council the allowances and other benefits to which the staff member of the Authority shall be entitled.

PART G

ARTICLE 7

Loans and allowances

1. Loans for purchase of means of transport

Where the finances of the Authority permit staff members of all categories may be granted loans for the purchase of means of transport. The Director-General shall determine the amount of the loan for each category and the modalities for refund of loans.

2. Salary advances

(a) Salary advances may be granted to cover periods of approved leaves or official travels if the staff member is expected to be away from the duty station on the pay day.

(b) In exceptional and compelling circumstances and if the staff member is supported by justification in writing, the Director-General may authorize an advance of one month's salary. The advance shall be calculated on the basis of the net basic salary, excluding all allowances or grants. It shall be deducted from the staff member's salary commencing the second month following the date on which the advance was made. The deduction shall be spread over a period of three months.

(c) An advance towards approved official travel expenses may be given to a staff member subject to submission of travel particulars and clearance of previous travel advances. Travel particulars if not submitted will make the previous travel advances subject to deduction from the staff member's salary.

3. Outstanding loan or advance

Any outstanding loan or advance at the time of resignation, retirement, termination, dismissal or death, shall be payable forthwith by deduction from any salary or gratuity and other benefits due to the staff member or his beneficiaries.

PART H

ARTICLE 8

Allowances

1. Language proficiency allowance

Staff members of the Authority shall be paid a language allowance of between ———————— if the Director-General is satisfied that they have passed an appropriate test, which he shall establish, and demonstrate continued proficiency in the use of both official languages of the Authority, namely English and French.

2. Safe driving allowance

(a) Drivers of the Authority shall receive a safe driving allowance every year called "a safe driving bonus" which shall be equivalent to 25 per cent of the basic salary during the year subject to the conditions set out in sub-paragraphs (b), (c), (d) and (e) of this paragraph;

(b) The Authority has not incurred any expenses on the vehicle he drives, directly attributable to his carelessness during the material period of one year;

(c) He has not been involved in any automobile accident considered to be his fault during the entire period of one year;

(d) He has not been convicted of any traffic violation such as reckless driving, speeding, or going through a traffic light during the period of one year;

(e) The Director-General is solely responsible for determining eligibility for payment of the safe driving bonus.

3. Post adjustment

The international staff of the Authority shall be eligible to a post adjustment allowance of   per cent of the basic salary.

4. **Posting allowance**

A post allowance of per cent of the basic salary shall be payable to the international staff of the Authority.

5. Expatriate allowance

The international staff of the Authority shall be eligible to an expatriation allowance of per cent of the basic salary.

6. Repatriation allowance

This allowance shall be paid once upon repatriation and shall be a sum equivalent to per cent of the last earned basic annual salary.

7. Life insurance allowance

The Authority shall make an insurance contribution to the international member of staff equivalent to per cent of the basic salary.

8. Overhead allowance

The international staff of the Authority shall be entitled to an administrative overhead allowance equivalent to per cent of the basic salary.

9. Dependency allowance

The international staff of the Authority shall be entitled to an equivalent of per cent of the basic salary per one legitimate dependent spouse and to an amount equivalent to per cent of the basic salary per legitimate dependent child.

10. Retirement allowance

A retirement allowance of per cent of basic salary shall be paid to the international staff as a contribution towards his retirement. Upon receipt of specific retirement instructions for each official from his home country, the Director-General may impute the allowed retirement allowance as requested by the country from the salary of the staff member and transmit it to the staff member's country, organization, or department, administering the retirement schemes.

11. Education grant

An education grant shall be available to an international staff member whose dependent child is in full-time attendance at a school, college, university, or similar educational institution of a type which will, in the opinion of the Director-General, facilitate the child's re-assimilation in the staff member's home country. The grant shall be payable in respect of the child up to the end of the fourth year of post-secondary studies or the award of the first recognized degree, whichever is the earlier. The amount of the grant per scholastic year for each child shall be the sum of 75 per cent of the first $2,000 of admissible education expenses, 50 per cent of the next $1,000 of such expenses and 25 per cent of the next $1,000 up to a maximum grant of $2,250. Claims for educational grant shall be justified by documents from the institution.

12. Special educational grant

A special educational grant shall be available to an international staff member whose child is unable, by reason of physical or mental disability, to attend a normal educational institution and therefore requires special teaching or training to prepare him for full integration into society or while attending a normal educational institution, requires special teaching or training to assist him in overcoming the disability. The amount of this grant per year per each disabled child shall be equal to 75 per cent of the educational expenses actually incurred up to a maximum grant of $2,500.

14. Installation grant

International staff members shall, on initial assumption of duty, be entitled to an installation grant of   per cent of basic annual salary payable once.

15. Acting allowance

An officer who shall be appointed to act in a superior post for one month or more shall be paid an acting allowance to be determined by the Director-General.

PART I

ARTICLE 9

Welfare services

1. Medical treatment

(a) Medical treatment shall be provided free of charge for local staff members and their immediate families for minor ailments at designated clinics or hospitals. Serious cases shall be referred to Government hospital.

(b) For minor ailments, international staff and members of their families shall use designated clinics or hospitals. He shall be reimbursed for payments made upon presentation of official receipts for prescribed drugs and dressings purchased in accordance with prescription given by specified physicians.

(c) When international staff member is hospitalized, such staff member shall pay his medical and surgical treatment bills and later submit a claim to the Authority for reimbursement.

(d) The total expenses of a staff member and his family within a year shall not be more than 90 per cent of the hospital bills except where the staff member or his family has been referred for treatment in places other than the Authority attached hospitals or clinics.

(e) The Authority shall not assist any staff member in meeting the costs of the following:

(i) Dental treatment

(ii) The provision of spectacles

(iii) Prenatal and postnatal treatment, hospitalization and delivery charges and medicines used in any maternity case.

2. Preventive health regulations

(a) It is the responsibility of each staff member whether international or local staff to maintain records of innoculations and arrange with a physician when additional innoculations are due. Expenses for innoculations are reimburseable.

(b) Assistance or advice may be obtained from the Authority's medical unit for staff members who travel on official missions in regard to the various innoculations, mainly for the following:

Yellow fever -- every ten years
Smallpox – every three years
Cholera -- every six months

3. Insurance

(a) The Authority shall ensure that a staff member is covered by one of the following insurance policies:

(i) Workmen's Compensation for employees earning below ________ per annum;

(ii) Group Personal Accident for employees earning ________ and above.

(b) A sum of $____ per baggage is assured to every traveller whose baggage is lost during an official journey. Any loss less than $________ will be borne fully by the staff member concerned.

(c) The Authority shall also operate a contributory superannuation scheme, the proceeds of which shall be invested in a Fund. The rate of contribution shall be 7 per cent of each employee's annual salary while the Authority shall contribute 14 per cent.

4. Compensation for disablement or death

(a) In the event of disablement or death by accident while on official duties of the Authority, a staff member or his designated beneficiaries or next-of-kin shall receive compensation in accordance with the provisions of the relevant insurance policies held by the Authority.

(b) In the event of the death of a staff member due to natural causes, his designated next-of-kin shall be paid all gratuities and other payments due to the deceased member as at the date of the death.

(c) Transportation of the body of a deceased staff member to its burial place shall be paid for by the Authority.

5. Gratuity to international staff

(a) An international staff member shall on cessation from the service of the Authority either on retirement, on termination or on expiration of contract be entitled to receive a gratuity at the rate of one month's salary for each year served. In the case of local staff the rate shall be two weeks' salary for each year served. The rate of accruing interest shall be specified in the letter of appointment.

(b) No gratuity shall be payable in respect of any period of training for which a staff member is sponsored by the Authority unless he has fulfilled the conditions under which such training was accepted by the Authority and the period of such training treated as a period of continuous service.

(c) Gratuity shall be paid only upon successful completion of the period of contract and as shall be specified in the letter of appointment.

PART J

ARTICLE 10

Accommodation

1. The Authority shall endeavour to provide accommodation at reasonable cost to staff members at the level of Directors and Chiefs of Divisions.
2. Qualification of a staff member for particular type of accommodation shall be determined by a Committee set up by the Director-General.
3. Where a staff member is provided accommodation at the expense of the Authority 25 per cent of his monthly post adjustment shall be deducted.

4. Staff members who are not provided or offered accommodation by the Authority shall be paid their post adjustment allowance in full.

5. Every staff member housed at the expense of the Authority shall be required to enter into an agreement to maintain the premises concerned.

6. A staff member who owns and occupies his own house shall be paid a housing allowance by the Authority. Such allowances shall be equivalent to the monthly rental the staff member could be liable to pay for such accommodation as he occupies.

PART K

ARTICLE 11

Service cars

1. The Director-General, and the Deputy Director-General shall be entitled to full-time free use of a car provided to each one by the Authority.

2. All other staff members shall be entitled to the use of adequate means of transportation in the exercise of their functions.

3. Where members of staff who are entitled to the use of service cars, are using their personal cars for the exercise of their duties they shall be entitled to a car allowance of between ________________________ each month. A staff member who claims this allowance shall apply for it. The Director-General shall, at his discretion, assign the car allowance. This allowance may be withdrawn if the Director-General ascertains that the car is not actually being used for the Service.

4. The Director-General shall, through administrative circulars, promulgate regulations for the proper use and maintenance of service cars.

PART L

ARTICLE 12

Remunerations for special and temporary members of staff

1. Special and temporary members of staff shall be remunerated on a special service contract mutually negotiated between such special members of staff and the Director-General.

2. For purposes of paragraph 1 of this rule, special and temporary members of staff, shall include personnel specially recruited for the purposes of conferences or seminars and specialists or consultants of various categories.

PART M

ARTICLE 13

Contract of service

1. Formalities of the contract

A letter of appointment shall be the elementary formality of the contract of service between the staff members and the Authority.

2. Periods of probation

(a) Periods of probation shall be served by the following categories of employees for the stated periods:

TEAHA L-1 to L-3	4 weeks
TEAHA L-4 to L-6	6 weeks
TEAHA L-7 to L-9	2 months
TEAHA L-10 to L-12	3 months

(b) During the period of probation staff members shall claim no entitlements from the Authority other than basic salary.

(c) Where at the end of the fixed period of probation, the staff member's services do not fully meet the required standards, his appointment may be revoked. However, if the Director-General is of the view that a staff member should be given a further period of re-evaluation, the period of probation may be extended by such period as the Director-General may, on the advice of the Director or Chief of the Division concerned, determine.

(d) Following the first period of probation and any further extension of the period, if the staff member is found unfit to render services to the Authority, his appointment shall be revoked. Where, however, the staff member is considered to be competent in all respects and suitable for continued future employment, the Director-General shall confirm his appointment, and the staff member shall from that date be entitled to all the allowances and privileges enjoyed by staff members of the Authority of his grade. These privileges and allowances shall be retroactive as from the date of his entry into the service.

3. Separation from service

Within the meaning of this rule a separation from service shall be a resignation initiated by the individual, or termination initiated by the Authority.

4. Resignation

Unless otherwise specified in their letters of appointment, written notice of resignation in accordance with the following duration shall be given:

TEAHA L-12 to L-10	3 months' notice
TEAHA L-9 to L-7	2 months' notice
TEAHA L-6 to L-4	1.5 months' notice
TEAHA L-3 to L-1	4 weeks' notice

All international staff shall give 4 months notice.

5. At the request of the staff member, and taking into account the reasons advanced by the staff member for his resignation and his record of service, the Director-General may accept resignations on a shorter notice; provided that in that case a staff member shall pay the Authority cash in lieu of notice.

6. Dismissal

A termination within the meaning of this rule shall mean a dismissal initiated by the Authority through the Director-General and shall not include:

(a) A retirement;

(b) A termination of service as a result of the expiration of a fixed term of appointment on the due date. This termination shall take place automatically and without prior notice on the expiration date specified in the letter of appointment.

7. Notice

(a) Members of staff, both local and international, whose appointments are to be terminated (excepting for gross misconduct) shall be given notice whose duration shall be equivalent to the period required of the staff member to give on his resignation;

(b) In lieu of the notice period, the Director-General shall authorise compensation on the salary and all other emoluments which the individual would have received, had the date of termination been at the end of the notice period;

(c) The notice period shall start to run from the date of the notification and shall not be subject to any condition precedent or condition subsequent;

(d) During the period of notice, both the member of staff and the Authority shall be bound to respect all the obligations which each has assumed towards the other.

PART N

ARTICLE 14

Leave

1. Annual leave

(a) The members of staff of the Authority who have completed six months continuous service, and where applicable have been confirmed in their appointment, shall be entitled to annual leave accruing while in full pay status at the following rates:

TEAHA I-10 to I-4	45 working days per year
TEAHA I-3 to I-1 and L-12 to L-10	30 working days per year
TEAHA L-9 to L-1	18 working days per year

(b) Members of staff in grades TEAHA L-9 to L-1 shall earn 3 additional working days leave per succeeding year over and above their normal grade entitlement, provided they have worked for the Authority over a period of more than 3 years. For the purpose of this article the minimum allowable fraction for the calculation of this 3-day additional leave bonus is a quarter of a year. Calculation would be rounded to the nearest quarter of a year beyond 3 years.

2. Commutation of leave

Staff members of the Authority may earn their leave in cash, and shall receive an amount equivalent to 12 per cent of the monthly basic salary. This amount shall be paid to the member of staff over and above his basic salary. Request for leave commutation shall be in writing and approved by the Director-General. Leave commutation shall not be authorized for two successive years.

3. Forfeiture of annual leave

Any absence from duty not specifically covered by other provisions of these rules, shall be charged to accrued annual leave; in default of sufficient accrued annual leave, the absence shall be considered as unauthorized, and salary and allowances shall not be paid for periods of such absences.

4. Advance annual leave

In exceptional circumstances, the Director-General may on the recommendation of the Director of the Division concerned authorize advance annual leave up to a maximum of two weeks for an individual, provided his service is expected to continue for a period beyond the date necessary for him to accrue that amount of leave.

5. Home leave

(a) For purposes of this article, home leave shall be earned annual leave, which an international staff of the Authority and his recognized dependants, shall be allowed to take in his home country at the expense of the Authority once every two years;

(b) The purpose of home leave is to ensure that international members of staff do not lose touch with their home country during their period of engagement with the Authority. To this end, the member of staff shall spend not less than two weeks of his home leave in his home country;

(c) Members of staff may be required to take home leave at a period immediately preceeding or immediately succeeding official travel, due regard being paid to the interests of the individual and his family;

(d) Credit towards home leave shall accrue as from the date of departure from the home country to enter on service, or the date of departure on a previous home leave whichever of these dates is the later.

6. (a) Staff members of the Authority who are unable to perform their duties by reason of illness or injury or whose attendance at work is prevented by public health requirements, may be granted sick leave. The ratings of such leave shall be as follows:

(b) Staff members of grades TEAHA L-1 to L-3 shall be granted sick-leave on full pay salary at the rate of two days per month of service;

(c) Staff members of grades TEAHA L-4 to L-12 shall be granted sick leave up to one month on full salary and one succeeding month on half-salary, in any period of twelve consecutive months;

(d) Staff members of grades TEAHA I-1 to I-3 shall be granted one and half months sick leave on full pay and two succeeding months on half-pay in any period of twelve consecutive months;

(e) Staff members of grades TEAHA I-4 to I-5 shall be granted sick leave on full salary up to two months and up to two succeeding months on half-pay, in any period of twelve consecutive months;

(f) Staff members of grades TEAHA I-6 to I-7 shall be granted sick leave up to three months on full pay and three succeeding months on half pay, in any period of twelve consecutive months;

(g) The Director-General and the Deputy Director-General may be granted sick leave up to four months on full pay and four succeeding months on half-pay in any period of twelve consecutive months;

(h) Staff members of the Authority shall submit a monthly report on any absence due to illness, injury or public health requirements. Where the absence is for five consecutive working days or longer, it shall be supported by a certificate from a qualified medical doctor. The certificate shall indicate the nature of the illness or injury and shall state that the individual was unable to perform his duties during the period. Where the absence was due to public health requirements, the certificate shall indicate that public health requirements prevented the individual's attendance at work;

(i) Members of staff of the Authority applying for sick leave may be required at any time to submit a medical certificate as to their condition. Sick leave may be refused if the Director-General, on the advise of the Director of the Division concerned, is satisfied that such leave is not justified.

7. Special leave

If after the lapse of the allowable sick leave with pay and sick leave with only half-pay, the member of staff is unable to perform his duties because of extended illness, the Director-General may grant such staff member special leave without pay, for such period as the Director-General, on the advive of the Director of the Division concerned, may determine.

8. Resignation on grounds of ill-health

If after special leave, a staff member is still incapable of resuming his duties, the Director-General may advise such staff member to resign.

9. Maternity leave

(a) An individual who will have served continuously for one year at the anticipated time of confinement shall be entitled to absent herself from her duties until the date of confinement upon producing an acceptable medical certificate that her confinement will probably take place within six weeks; provided that, at her request and with the approval of a recognized medical officer, the absence may be permitted to commence less than six weeks but normally not less than two weeks before the probable date of confinement;

(b) The staff member shall normally not be permitted to work during the six weeks following confinement;

(c) The staff member shall receive maternity leave on full pay for the entire duration of her absence. Where the absence commences less than six weeks before the probable date of confinement, the post-confinement leave shall remain six weeks;

(d) An individual with less than one year of continuous service at one anticipated time of confinement shall absent herself from duties in accordance with the same schedules and under the same conditions as provided in the preceding articles; provided that the period to be awarded to her as maternity leave shall be only three weeks, the rest of the three weeks shall be charged to her accrued annual leave;

(e) A staff member whose legitimate wife has delivered shall be granted three working day's paternity leave with full pay. This leave shall be computed from the date of demand by the individual but shall not be awarded if the request is made more than one week after the delivery; or if the wife delivers in another town other than the town in which the husband resides;

(f) Sick leave shall not be granted for maternity cases except where serious complications arise during delivery;

(g) Annual leave shall accrue during the period of maternity leave, provided that the individual returns to service for at least six months after the completion of maternity leave.

PART O

ARTICLE 15

Travel and removal expenses

1. Official travel of staff members

Subject to the conditions prescribed in these rules and such others as may be prescribed by the Authority from time to time, the travel and expenses of staff members shall be paid in the following circumstances:

2. Entitlements of staff members

On initial appointment of internationally recruited staff whereby the personnel shall be entitled to $5,000 for transport of family, $2,500 for transport of effects and $1,000 for transport of car. Members of staff shall have a right to the same entitlements on separation from service:

(a) On separation from service;

(b) On official tour;

(c) On home leave;

(d) On travel authorized for medical or security reasons, or in other appropriate cases, when, in the opinion of the Director-General, there are compelling reasons for paying such expenses.

3. Authority for travel

(a) Authority for travel shall only be made by the Director-General or in his absence by his authorized representative;

(b) Members of staff are responsible for ensuring that they have written authorization before commencing travel;

(c) In exceptional circumstances the Director-General may authorize travel on oral instructions, but such oral authorization shall require subsequent written confirmation.

4. Travel expenses

Official travel expenses paid or reimbursed by the Authority under these rules shall be as follows:

5. Terminal expenses

Members of staff may claim reimbursement of terminal expenses incurred for each outward or return journey and for each authorized stop up to $12. No expenses shall be reimbursable in respect of an intermediate stop:

(a) which is not authorized

(b) which does not involve leaving the terminal, or

(c) which is for less than four hours and is exclusively for the purpose of making an onward connexion.

6. Other necessary expenses

Other expenses consequential upon or incidental to the official travel shall be met by the Authority up to $500. These expenses for which advance authorization shall be obtained from the Director-General shall normally be limited to:

(a) Hire of local transportation;

(b) Telephone, telegraph, radio and cable messages;

(c) Transfer of authorized baggage by railway express, or other appropriate means;

(d) Hire room for official use;

(e) Stenographic or typewriting services or rental of typewriters in connexion with the preparation of official reports or correspondences;

(f) Transportation or storage of baggage or property used on official business;

(g) Passport and visa costs; and

(h) Hosting official receptions.

ARTICLE 16

Daily subsistence allowance

1. The daily subsistence allowance shall be payable in the following rates: Staff members of Grades

TEAHA I-10 to I-8	$200 per day
TEAHA I-7	160 per day
TEAHA I-6	140 per day
TEAHA I-5 to I-4	120 per day
TEAHA I-3 to I-1 and L-12 to L-10	100 per day
TEAHA L-9 to L-4	70 per day
TEAHA L-3 to L-1	45 per day

2. Thirty five per cent of the allowable daily subsistence shall be considered as expended on lodgement and 65 per cent on restauration.

3. When it is necessary to specify for the purpose of computing the amount of daily subsistence allowance payable, the "hour of departure" or "hour of arrival" these shall be considered as the time when the train, vessel, or aircraft used by the traveller actually "departs from" or "arrives at" its terminal.

ARTICLE 17

Route, mode of travel and accommodation during travel

1. All travel at the expense of the Authority shall be by a route and mode which shall be prescribed by the Director-General.

2. Travel shall be by the most direct and economic route and mode of transportation unless it is established to the satisfaction of the Director-General that the use of an alternative route or mode is in the best interest of the Authority.

3. Travel subsistence allowance or other entitlements, including travel time, shall be limited to that allowable for a journey by the approved route and mode of travel. Staff members who make other arrangements for personal convenience must obtain advance approval to do so and pay all additional costs themselves.

4. For all official travels, accommodation shall be provided in accordance with the following categorization:

   (a) When the approved travel is by air, it shall normally be by economy class; provided that the Director-General may in any particular case authorize staff members to travel first class if exceptional circumstances make that necessary or unavoidable. In the case of the Director-General, the authority of the Chairman of the Council shall be obtained for first class air travel by him;

   (b) When approved travel is by sea, it shall normally be by a standard next below first class;

   (c) In case of official travel by train, senior and intermediate members of staff shall be provided with appropriate first-class accommodations, including, where necessary, suitable sleeper, or other facilities. Other categories of staff shall be accommodated in second class;

   (d) Members of staff who elect higher standard of accommodation shall bear the additional costs entitled; conversely if personnel elect to travel by lower standards of accommodation, the Authority shall pay only for accommodation actually used.

ARTICLE 18

Excess baggage

1. Baggage in excess of the free baggage allowance provided by the transportation company shall be regarded as excess baggage for the purpose of these rules.
2. Members of staff shall be entitled to payment of excess baggage charges to the extent of ten kilogrammes.

ARTICLE 19

Transportation of decedents

1. Upon the death of a member of staff or a member of his immediate family, the Authority shall meet the cost of the coffin and the cost of transporting the body from the place of death to the place of burial.
2. For international staff, the Authority shall meet the additional costs for preparation of the body. If local interment is elected, reasonable expenses incurred for the interment may be reimbursed either to the member of staff, if it is his family member who is dead, or to the family if it is the staff member who is dead.

ARTICLE 20

Loss of entitlement to travel expenses

1. The Director-General may reject any claim for payment or reimbursement of expenses for travel incurred by the staff member in contravention of any provision of these rules.
2. Members of staff who resign before completing one year of service or within six months following the date of return from home leave shall not be entitled to payment of travel expenses on separation for themselves or their family members.

3. Notwithstanding the provisions of paragraph 1 of this Article, the Director-General may authorize exceptions to the application of this rule.

PART P

ARTICLE 21

Staff relations

1. Staff Council

The Director-General shall establish a Staff Council.

2. Function of the Staff Council

The Staff Council shall ensure continuous contact between the staff and the Director-General. The Staff Council shall be entitled to make proposals to the Director-General for improvements in the situation of staff members, both as regards their conditions of work and their general conditions of living.

3. Composition of the Staff Council

The Staff Council shall be composed in such a way as to afford equitable representation to all levels of staff. But the representation may not exceed one staff member per 20 employees for less than 250 employees or one staff per 25 for over 250 employees, and one staff per 50 for over 500 employees. The representatives shall be elected in carefully organized Staff Council elections.

4. Procedure and frequency of election to the Staff Council

Election of the Staff Council shall take place annually under regulations and procedures drawn up by the Director-General in consultation with the Staff Council.

PART Q

ARTICLE 22

Discipline

1. Staff participation

The Director-General may establish administrative machinery with staff participation which will advise him on disciplinary cases. This provision is without prejudice to the authority of the Director-General to impose disciplinary measures on his own responsibility on staff members whose conduct is unsatisfactory.

2. Suspension pending investigation

If a charge of misconduct is made against an individual and the Director-General so decides the individual may be suspended from duty, with or without pay, during investigation. The suspension however, does not prejudice the rights of the individual to a fair hearing of the charge against him.

3. Conditions precedent to dismissal

Upon the first breach fetching disciplinary action, the Director-General may issue a verbal warning to a staff member. If a staff member persists in his misdemeanour, the Director-General may warn him in writing. Continual misconduct on the part of the staff will earn him a suspension from duty of one to eight working days, without pay. A staff member who continues to misbehave after the period of his suspension will be considered unfit to be a staff member of the Authority, and the Director-General shall dismiss him.

4. Director-General's powers to dismiss summarily

(a) Nothing contained in these rules shall be considered as in any way curtailing the powers of the Director-General to summarily dismiss a member of staff for serious misconduct;

(b) International staff who are guilty of serious misconduct may, subject to the approval of the Council, be returned to their home government.

5. Serious misconduct defined

A staff member who commits any of the following offences shall be considered to have committed serious misconduct: fraud, theft, or accomplice to theft; carelessness resulting in grave loss to the Authority, proven incompetence in the discharge of his duties, drunkenness during working hours, insubordination, inciting members of staff to revolt, falsifications resulting in loss to the Authority, divulging confidential documents or secrets, fighting at the grounds of the headquarters, habouring criminals in the premises of the Authority and any conduct which the Director-General may consider serious.

PART R

ARTICLE 23

Appeals Tribunal

1. There is hereby established an Appeals Tribunal (hereinafter referred to as "the Tribunal") which shall hear all appeals from members of staff arising out of the interpretation or application of these rules.
2. The Tribunal shall consist of three members.
3. One member of the Tribunal shall be appointed by the Director-General, one member of the Staff Council and one member of the two members appointed by the Director-General and the Staff Council. If these two fail to agree on a third member, such member shall be appointed by the Executive Secretary of the United Nations Economic Commission for Africa. The three members of the Tribunal shall elect one of them to be chairman. The Tribunal shall value its own rules of procedure.

4. All disputes between the Authority and the member of staff or between the staff members and the Director-General arising out of the interpretation or application of these rules shall be referred to the Tribunal for decision.

5. Decisions of the Tribunal on all matters referred to it under paragraph 4 of this Article shall be final.

PART S

ARTICLE 24

General provisions

1. Amendment to these rules

These rules may be amended by the Director-General from time to time in a manner consistent with the principles and spirit inherent herein.

2. Exceptions to the rules

Exceptions to these rules may be made by the Director-General provided that such exceptions are not inconsistent with the inherent spirit and principle of the staff rules of the Authority, and not prejudicial to the interests of the staff members.

3. Powers of Governing Council to veto amendments

The Governing Council as the supreme policy-making organ of the Authority, shall be consulted in cases where amendments are made to these rules, and may veto any such amendments.

4. Date of commencement

These rules shall come into force on a date, which the Director-General, on advice from the Governing Council, shall in an administrative circular, appoint.

ACTION CHECK LIST

I. Experts

1. Status Review ______________________________
2. Plan and Programme ______________________________
3. Staffing ______________________________
4. Technical Session ______________________________

II. Advisory Board

5. General Review ______________________________
6. Financial Plan ______________________________

III. Governing Council

7. Country Reports ______________________________
8. Plan of Action ______________________________
9. Appointment of Chief Executive ______________________________
10. Headquarters Agreement ______________________________
11. ECA's Highway Activities ______________________________